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# LAW ENFORCEMENT STUDY

## VOLUME I

### Basic Report



BUREAU OF LAND MANAGEMENT

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LAW ENFORCEMENT STUDY

BY

Donald Halsey, Protection Specialist, State Office (Chairman)  
Robert Springer, Manager, Bakersfield District  
Delmar Vail, Manager, Folsom District  
E. Kendall Clarke, Attorney, Office of the Regional Solicitor, Sacramento

FOR

J. R. PENNY, STATE DIRECTOR,  
BLM, CALIFORNIA

JULY 1971

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LAW ENFORCEMENT STUDY

BY

E. Harold Clarke, Attorney, Office of the Regional Solicitor, Sacramento  
Robert Zell, Manager, Folsom District  
Robert Spinger, Manager, Berkeley District  
Vernia Wiley, Protection Specialist, State Office (Inland)

FOR

W. A. PERRY, STATE DIRECTOR,  
BUREAU OF LAND MANAGEMENT,  
DENVER, CALIFORNIA

JULY 1971

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PREFACE

Recognizing urgent law enforcement needs on California public lands, our study suggests a new approach by the Bureau of Land Management - an approach designed to protect both people and lands.

Essential to any protection effort is cooperation between manager and user. Cooperation means understanding on both sides; such understanding grows only where communication thrives. This we believe is possible with people-minded people in positions of visitor/resource protection. Skilled in sound judgment and practiced in the art of public diplomacy, they must be in continued contact with the people served.

Where law enforcement becomes necessary, they will first look to verbal persuasion. Words won't always suffice though; the Bureau must have enforcement capability as finally recommended.

Volume I presents the basic study report. Volume II shows how BLM could proceed now to lessen the problems with existing enforcement potential. Volume III includes a number of supporting documents and a list of reference sources. 1/

Behind this report is the conviction that we can't wait any longer. Millions of people are trampling the Bureau's California land. Our hope is that this study may serve as a guide to and spark for the action so urgently needed if we are to protect our people and our lands.

Donald D. Halsey

Robert J. Sprunger

Richard W. Laird

E. Randall Carter



ACKNOWLEDGEMENTS

The Study Team acknowledges with appreciation the assistance and advice rendered by the California BLM Districts and State Office Staff, the outside agencies contacted such as the Commission on Peace Officer Standards and Training, State Department of Parks and Recreation, National Park Service, U. S. Forest Service, International Association of Chiefs of Police, a number of Sheriff's Offices, the California Highway Patrol and many others.





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## INTRODUCTION

The Bureau of Land Management administers about 460 million acres of the public domain, land owned by all citizens of the United States. About 280 million acres are in Alaska and the rest lies mostly in the western states. In California, nearly one-sixth of the total surface area, about 16 million acres, is administered through six BLM district offices. Approximately 12 million BLM acres are in the California Desert, 2.5 million acres ranging in size from small parcels of land to large blocks are scattered from Mexico to Oregon west of the California Desert and Sierra Nevada and 2.5 million acres are in concentrated holdings east of the Sierra Nevada, north of the California Desert.

Bureau land in California is a valuable commodity contributing to the State's economic base, providing many recreation opportunities and containing significant archaeological, paleontological, historical and cultural values. Water yield is estimated at over 2 million acre feet per annum. Timber yield is sustained at over 40 million board feet. Nearly half a million head of livestock, cattle, sheep and horses graze Bureau lands each year. Five percent of the State's mineral production, exclusive of off-shore oil deposits come from this land. Wildlife values are significant. One of the most important uses is recreation, and while the dollar return is small, the value to the people of this country who love to hike, or camp, fish or hunt, or just enjoy some of the most spectacular scenery in the world--this value is very great indeed.

But these land and resource values are steadily eroded by uncontrolled use, abuse, vandalism and thefts, and visitor health and safety are in jeopardy. The damage or destruction of resources and the incidence of crime on Bureau administered lands in California are high and on the increase.

The Bureau has acted within its limited capability of cooperation, coordination and education to protect BLM visitors and resources. For example the tremendous growth of off-road vehicle use in California has posed serious problems on the public lands. Thousands of these vehicles can be found on public lands each weekend and they are competing for space with each other and with other public land users.

Concerned with this rapidly increasing use and the impact on the environment, BLM undertook a preliminary survey and study of off-road vehicle use in 1968. The results showed off-road motor vehicle use had to be managed.

On January 18, 1969, the Secretary of the Interior issued recreation regulations which recognized off-road vehicle use as a legitimate use of public lands, and provided for the management procedures of this use.

A weakness in these recreation regulations is a lack of federal enforcement authority. On March 7, 1969, the California State Multiple Use Advisory Board to the Bureau of Land Management recommended that a citizen's advisory council be formed to advise on how best to implement these new regulations.

Different user group representatives were nominated to an informal Off-Road Vehicle Advisory Council (ORVAC). Their recommendations were incorporated March 1970 in the "Guidelines For the Management of Off-Road Vehicle Use on the Public Lands in California."



The Council followed the Folsom District's attempt to manage off-road vehicle use on the Panoche area in Fresno County. Here off-road vehicle use competed with livestock grazing, picnicking, camping, game bird nesting, experimental range seed plots, and hunting. An off-road vehicle use area consisting of approximately 1,160 acres of intensive use land, 12 miles of access road, and 15 miles of trails was established and marked on the ground. Special rule brochures and maps were developed and handed out to users on the area. Weekend patrols were run by Bureau employees and cooperators such as Fish and Game, Division of Forestry, Sheriff's deputies and local motorcycle clubs to persuade users to follow the rules. Yet, management control efforts failed. For example, some motorcyclists played hound and hare with the patrols doing the chasing. A patrol would approach riders in unauthorized areas and the riders would evade the patrol by dashing cross-country to another location. The area was marked so that State trespass laws could be enforced. Sheriff's deputies cited a number of riders and a few cited were fined. Even this approach didn't control the unauthorized use. Off-road motorcycles and trail bikes were not registered in most cases. The violators caught by the deputies avoided punishment by giving false identification. Associated with the indiscriminate riding were serious injuries. With ineffectual control, nonobservance of rules and regulations and the lack of sufficient manpower, money and authority, the area was closed.

The continued deterioration of the Bureau of Land Management's ability in California to control people on its administered lands, to prevent

irreparable damage to resources and injury to visitors resulted in the formation of a Study Team to analyze Bureau enforcement requirements. State Director, J. Russell Penny, in June 1970 appointed a Study Team consisting of his staff protection specialist as chairman, two district managers, and an attorney from the Regional Solicitor's Office to make this analysis. How serious is our protection problem now, how bad can it get, what can we immediately do, and what should we do in the future? These were questions he asked the Study Team to answer.

At an alarmingly accelerated rate, BLM California districts report resources and facilities damaged or destroyed through misuse, vandalism, and rowdiness on the public domain. Vehicles traveling off roads churn away soil and vegetation and BLM efforts to manage and control such off-road use have not been successful, e.g., Panoche.

Campground garbage cans, signs, and buildings are pockmarked with bullet holes, 300 pound picnic tables have been stolen, faucet fixtures have been mutilated by bullets. Thugs and rowdies harass and injure others and belligerents have confronted the land managers. Visitors to the public domain have been injured and killed by hazards such as mining shafts. BLM land managers and recreationists are bewildered at such happenings in the "outback". Losses are extensive and control has not been effective by use of persuasion, cooperation and education.

BLM's present capability to enforce lawful use of its lands is almost non-existent. Funds, men, legislative authority, policy, guidelines,

organizational structure, training, and special equipment, so essential to the enforcement of Secretarial rules and regulations, are needed. Land managers feel rather insecure and are in fact sometimes subject to personal danger while confronting the belligerent rowdy type in an attempt to protect visitors and resources.

The United States Forest Service, National Park Service and State agencies such as the California Department of Parks and Recreation are confronted to a much greater extent than BLM with the belligerent user challenging their management authority, threatening the safety of their enforcement officers and land managers, harassing law abiding visitors, polluting the landscape with their trash, and so on -- and these federal and state agencies have difficulty coping with such problems even with seemingly adequate legislative enforcement authority.

State law enforcement officers are not able to provide much assistance to BLM and other federal agencies due in part to their limited staff and financing.

Thus, this Study Team was charged with analysis of BLM enforcement requirements and with proposing recommendations for future action on public land.

BLM can continue the status quo with no enforcement involvement or it can develop law enforcement capability. There are a number of law enforcement models which could be followed; all require enabling legislation.

The probable results of inaction require that BLM move toward a law enforcement role. This report suggests an approach that is a blend of systems used by the United States Forest Service and the National Park Service. Close cooperation and coordination are called for with local and State law enforcement agencies. We recognize that close involvement is required by citizens, law enforcement consultants and others to arrive at the proper ultimate BLM law enforcement approach.

The following analysis charts immediate and long range enforcement programs to meet the Bureau needs in California and, we think, Bureau-wide needs. It addresses its investigative probe to BLM organization, policy, legislation, communications, equipment, transportation, written guidelines for BLM employees and enforcement techniques which include enforcement through contract. It introduces a Ranger concept, 1/ to administer protection services including law enforcement in California Desert.

This Study Team report represents but a first step in developing an ultimate protection program to meet the Bureau's needs.

1/ The Ranger concept is developed in detail in Volume II of this study. The Implementation and Operation Plan for the California Desert Ranger was submitted to the BLM Director May 28, 1971.

## SLIDE ESSAY

Please view the slides before proceeding in this BLM law enforcement report. The purpose is to give you a feeling of the impact on the land by people. The slide show illustrates human and natural resource values at stake. Consider the result if a status quo philosophy of no BLM law enforcement is followed. Slides 3 through 38 illustrate the nature of the public domain in California. Slides 39 through 56 show how these lands are used by people. Slides 57 through 78 show abuse to resources and facilities. In a minimum enforcement role, BLM would not be able to protect these resources without the personal commitment by the public as expressed by Slides 78 and 80.



SLIDE

NARRATIVE

- 1 YOUR LAND - WHAT DOES THIS REPRESENT IN RESOURCES AND HUMAN VALUES?
- 2 460,000,000 ACRES IN THE 11 WESTERN STATES.
- 3 16,000,000 ACRES IN CALIFORNIA, WHERE SNOW AND SAND - AND ALL RANGES BETWEEN THEM - MEET TO HOUSE A RICH SAMPLE OF LIFE.
- 4 KING RANGE, CALIFORNIA NORTH COAST.
- 5 CORMORANTS AND SURF, KING RANGE.
- 6 LIZARD AND LICHEN.
- 7 WILD FLOWERS, NORTH COAST.
- 8 OLD GROWTH TIMBER.
- 9 MADRONE, CLOWN OF THE FOREST.
- 10 RED BUD.
- 11 REDWOOD, 14 FT. DIAMETER AT BREAST HEIGHT, CASE MOUNTAIN, SIERRA NEVADA.
- 12 JOSHUA TREE FOREST, CIMA DOME, CALIFORNIA DESERT.
- 13 PALO VERDE, CALIFORNIA DESERT.
- 14 YUCCA AND CACTI AGAINST DESERT ROCK LAND FORM.
- 15 OAK-GRASS-DIGGER PINE TYPE, SIERRA FOOTHILLS.
- 16 CRAWLEY LAKE, NORTH OF BISHOP.
- 17 DESERT CANDLE, CALIFORNIA CITY AREA.
- 18 ALABAMA HILLS AGAINST EAST SLOPE SIERRA NEVADA--SETTING OF MANY HORSE OPERAS AND OTHER MOVIES.
- 19 PETROGLYPH CANYON.
- 20 WILD BURROS, GRAPEVINE CANYON

- 21 WILD HORSES, NEAR ASH MEADOWS.
- 22 EUREKA SAND DUNES.
- 23 THE OLD PLANK ROAD THROUGH THE IMPERIAL SAND DUNES, EAST  
OF EL CENTRO.
- 24 TRONA PINNACLES.
- 25 FOSSILIZED OYSTER SHELLS IN YUHA DESERT.
- 26 MARIPOSA LILY.
- 27 CANADA GEESE.
- 28 WATER, WARNER MOUNTAINS, NORTHEASTERN CALIFORNIA.
- 29 FALL IN OAK-PINE TYPE, NORTHERN CALIFORNIA.
- 30 DEER WINTERING IN LOW SAGE - JUNIPER LAND.
- 31 BADGER.
- 32 MOUNTAIN MAHOGANY, NORTHEASTERN CALIFORNIA.
- 33 VOLCANIC TUFT EAST OF WARNER MOUNTAINS.
- 34 SMELTER RUINS AT PANAMINT CITY, EAST OF LONE PINE.
- 35 RATTLESNAKE.
- 36 GRASS SEEDED BURN, OAK-BRUSH-DIGGER PINE TYPE, SIERRA  
NEVADA FOOTHILLS.
- 37 YUBA RIVER.
- 38 CACHE CREEK.
- MAN, TOO, HAS A HOME HERE:
- 39 SWIMMING.
- 40 HUNTING.
- 41 SHOOTING
- 42 PICNICING - CAMPING.



- 43 HIKING - BACKPACKING.
- 44 HORSEBACK RIDING.
- 45 MOTORCYCLING.
- 46 TRAIL BIKE.
- 47 FAMILY SPORT.
- 48 JEEPING AND ROCK HOUNDING.
- 49 DUNE BUGGIES.
- 50 CATTLE GRAZING.
- 51 SHEEP GRAZING.
- 52 QUAIL GUZZLER OR WATERING PLACE WITH BRUSH COVER.
- 53 STREAM BANK EROSION CONTROL.
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- 55 ROAD CONSTRUCTION.
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- YOUR LAND HOLDS UGLINESS TOO: THE GLARING LEGACY OF IGNORANCE  
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- 57 SIGNS WHICH DISCOURAGE USE OF PUBLIC LAND.
- 58 ILLEGAL ROAD BARRIER.
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- 60 VISUAL POLLUTION.
- 61 TIMBER TRESPASS.
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- 63 OCCUPANCY TRESPASS.

64 JUNK COLLECTION AROUND UNAUTHORIZED SHACK.  
65 HILL CLIMBING DAMAGE.  
66 FAN PALMS BURNED.  
67 ROCK PAINTING.  
68 VANDALIZED PETROGLYPH.  
69 MAN CAUSED WILDFIRE.  
70 THE AFTERMATH.  
71 HAZARDOUS HIGHWAY ROADSIDE PARKING.  
72 MINING TUNNEL. WHAT'S INSIDE! A SHAFT.  
73 CALICO AREA. GIRL RAN INSIDE TUNNELS AND FELL INTO HOLE.  
74 MINE TRENCH HAZARD TO OFF-ROAD VEHICLE USERS.  
75 LITTER.  
76 UNAUTHORIZED DUMPING.  
77 CITIZEN'S ATTEMPT TO STOP LITTERERS AND DUMPERS.  
78 ILLEGAL SHOOTING - SIGN PLACED ONE MONTH EARLIER.  
THE SCARS ARE NOT INDELIBLE, HOWEVER.  
79 BOY SCOUTS OF AMERICA AND OTHERS ARE PRINCIPLED IN  
GOOD OUTDOOR MANNERS.  
80 IF EACH OF US PRACTICED GOOD OUTDOOR MANNERS AND KEPT  
THE CONSERVATION PLEDGE, THEN LAW ENFORCEMENT TO PROTECT  
RESOURCES AND RECREATIONISTS WOULDN'T BE NECESSARY.

THE CONSERVATION PLEDGE

I GIVE MY  
PLEDGE AS AN AMERICAN  
TO SAVE AND FAITHFULLY TO  
DEFEND FROM WASTE THE  
NATURAL RESOURCES OF  
MY COUNTRY - ITS SOIL  
AND MINERALS, ITS  
FORESTS, WATERS,  
AND WILDLIFE.



## BLM LAW ENFORCEMENT CAPABILITY

Presently, the enforcement of Federal and State criminal laws are left to others. Civil trespass matters are handled as a service function to Bureau of Land Management (BLM) subactivities, with each subactivity independent of the other. Federal criminal and civil law violations are processed through the Federal Courts system. Such proceedings are extremely slow and may require a year or more to process the simplest trespass case. Lesser Federal Courts presided over by U.S. Magistrates quickly process misdemeanor violations of federal laws for the U.S. Forest Service and National Park Service, most of which are handled by a system of forfeitable bails. Yet BLM has no legal access to these courts.

BLM rules and regulations are generally unenforceable. Except in specialty Federal Acts, penalties cannot be prescribed for BLM rule and regulation violations. Legislation is required. There are a few Federal Acts where the Secretary of the Interior can make rules and regulations with fine and/or jail sentence punishment for violations, but enforcement has not been implemented.

Statistical data relative to rule and regulation violations, crimes against persons and property, resource type trespasses, and accidents, are not collected in a systematic way, making it almost impossible to know what is happening on BLM land.



## PROBLEM

### General

The 16,000,000 acres of public land in California administered by the Bureau of Land Management (BLM) are within easy reach of the State's more than 20,000,000 inhabitants. Over half of these people live in the metropolitan areas of southern California within 150 miles of the 12,000,000 acres of BLM desert land. In ever increasing numbers city people are using this public domain to joy ride their motorcycles, jeeps and dune buggies cross country, to rock hound, to enjoy clean air and sunshine, to study wildlife and plants, and among other recreation pursuits, to feel the openness and freedom of the countryside.

More than 7 million visitor days use were logged in the BLM portion of the desert during 1970. To the desert and other California wildland areas come traffic violators, thieves, drug and narcotic users and wanted felons. BLM has its hands full protecting resources from man and now added to this is the protection of man from man during their use of public resources and facilities. People are damaging and destroying these resources and facilities. They are harassing and injuring other people. Hazards such as mining shafts are causing human injury; people are being killed on the public domain.

Let us examine more closely the people impacts on BLM lands in the way of resource and facility abuse, damage and destruction, and visitor safety.

### Property and Resource Damage

Motor vehicles traveling off-road grind away vegetation exposing the soil to wind and water erosion.

One photograph shows participants in a motorcycle race cross country northeast of California City in Kern County on February 20, 1969. This is one of the many such races held throughout the desert each year. The other photos show how bike tracks damage vegetation.







**Motorcycle Tracks**

BLM lands are abused a great deal by those who litter.

One self-professed scrounge near Lake Isabella collected during a 30 year period junk which he stored over a 40 acre area of public domain around his unpatented mining claim. The junk area has high year round recreation value, being of gentle terrain, vegetated with attractive trees and grass, and within a mile or two of Lake Isabella, a large southern California lake. Proceedings to have the junk removed from the public land started a couple of years ago. The Court, after failure of the junk owner to remove his old cars, washing machines, pipe, boxes, lumber, refrigerators, etc., awarded title of this junk to the government. BLM cleanup costs are estimated at \$25,000.



Junk on BLM potential recreation site,  
collected during past 30 years.

Many users help in litter clean up such as through the Johnny Horizon programs but this doesn't stop littering and unauthorized dumping.

More than 1600 volunteer workers picked up an estimated 563 cubic yards of litter, including 50 old automobile and truck bodies, in the Johnny Horizon cleanup in the Ridgecrest area October 10-11, 1970. The estimate of cleanup cost saved public agencies -- and thus the taxpayer -- was \$45,000.

Photographs show junk and cleanup in other areas.



Johnny Horizon Cleanup





Junk



Abandoned Car



APR 1967







People steal, e.g., the toilet paper from a campground, 300 pound picnic table, padlocks, garbage cans, money in campground coin boxes, registration signs, one campground main entrance sign, steel fence posts even from constructed fences, camp grills, protected fossils, archaeological and historical artifacts, decorative stone, mining equipment, gas, Christmas trees, timber, sand and gravel, sleeping bags, ice chests -- you name it.

The photographs show what is left of a 300 pound picnic table, a coin box and an Indian grave with artifacts removed.



Remains of a 300 pound picnic table.



Campground coin box



Pilfered Indian graves.

People tear off out building toilet shelves and deodorizers, bash in toilet doors and roofs, tear apart registration stands, signs, etc. They purposely pollute campground waters, cut fences, break guzzlers, deface archaeological sites, paint rocks, cut plastic pipes into pieces, dynamite petroglyphs, uproot log barriers in camp sites, deliberately pull out survey stakes and drain water tanks for kicks. And they burn signs, garbage can posts, pit toilets, picnic tables, palm trees, joshua trees, grass and brush land, and willfully and illegally shoot signs, garbage cans, water tanks, windmills, toilet doors, gates and locks, developed wells and springs, pictographs and petroglyphs, livestock and wildlife. Relative to the shooting of BLM signs, it is hard to find one without bullet holes within a month of placement. Two outhouses were blown up. One tree was deliberately felled over a picnic table.

The two outhouses blown up were vault type wood structures valued at over \$1000 each. They were replaced by \$1500 concrete block structures. One of the outhouses was destroyed in the McCain Valley Cottonwood Campground July 8, 1968, and one week later the other outhouse was blown up in nearby Lark Canyon Campground. There was shooting in the Lark Canyon Campground just preceding the explosion and those shooting were asked to stop by the maintenance man. Shortly thereafter, the outhouse was blown up, a picnic table burned, three stoves were torn out, a cattle guard gate was torn down, signs were twisted, and the garbage and trash were scattered throughout the campground. The investigating Sheriff's deputy could not identify the vandals.

The photographs show vandalism of different types in the Cinder Cone, Yuba Trail, Red Dog, Alabama Hills, Adobe Valley, Lake Isabella, Panoche, Chimney Creek, Temblor Ridge, Cow Mountain, Dove Spring, Weldon, and Junction City areas.

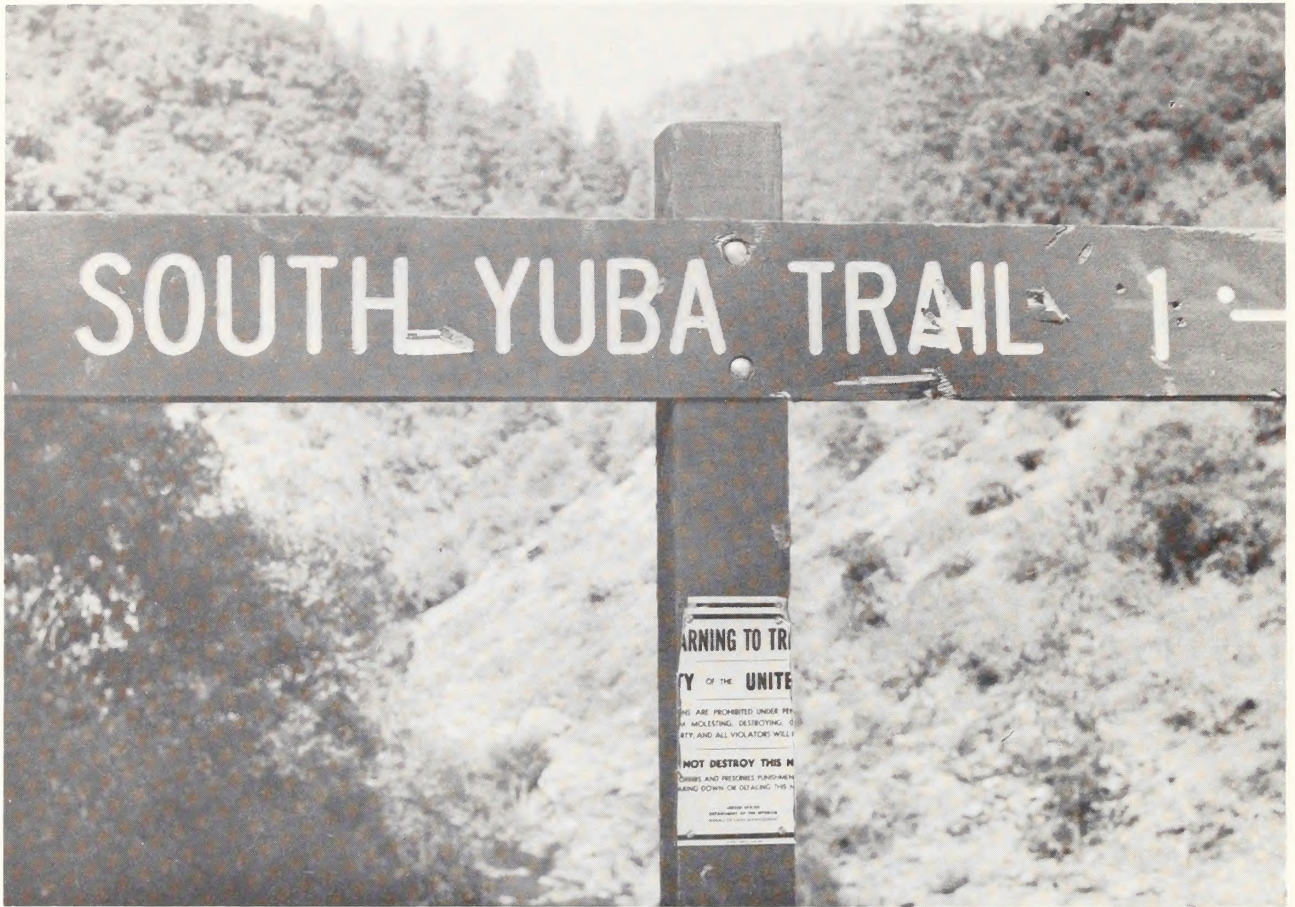


JULY 1966



JULY 1966

Rocks thrown through roof.



Trail sign damage





Trail sign damage



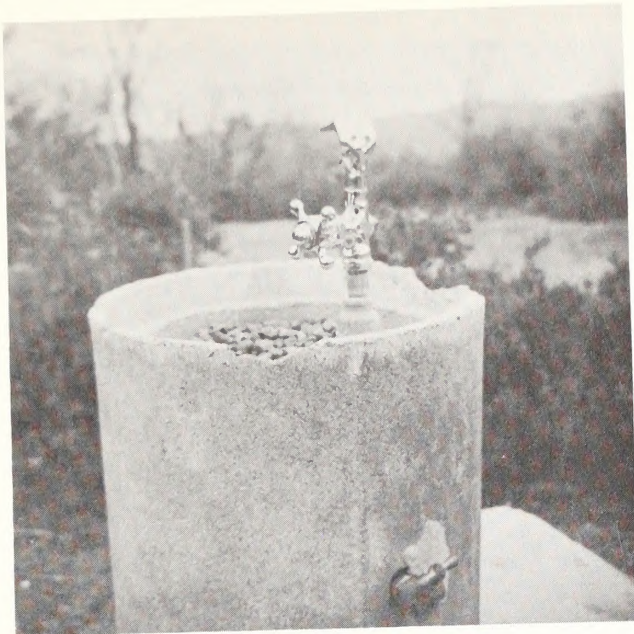
Campground sign



.22 rifle shots







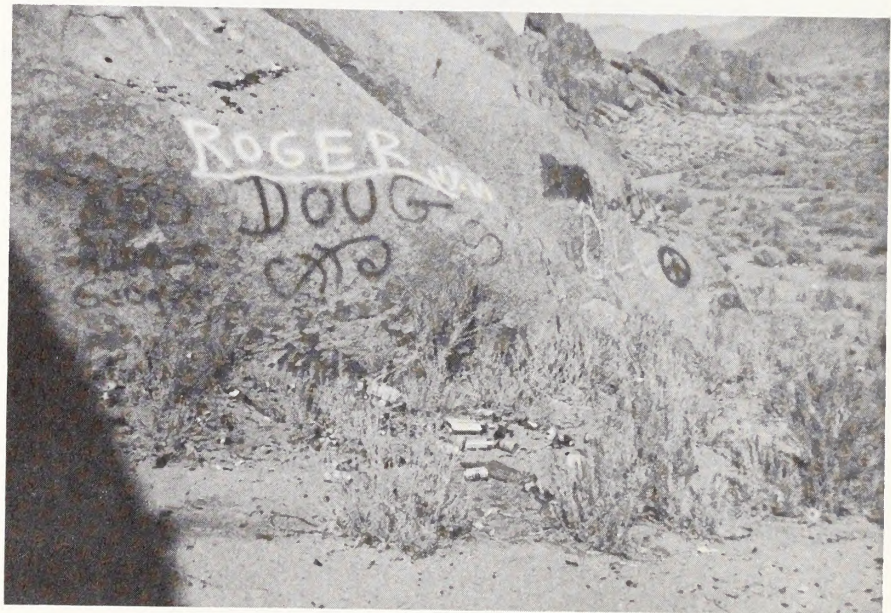
At least 8 bullet holes  
and impact dents.



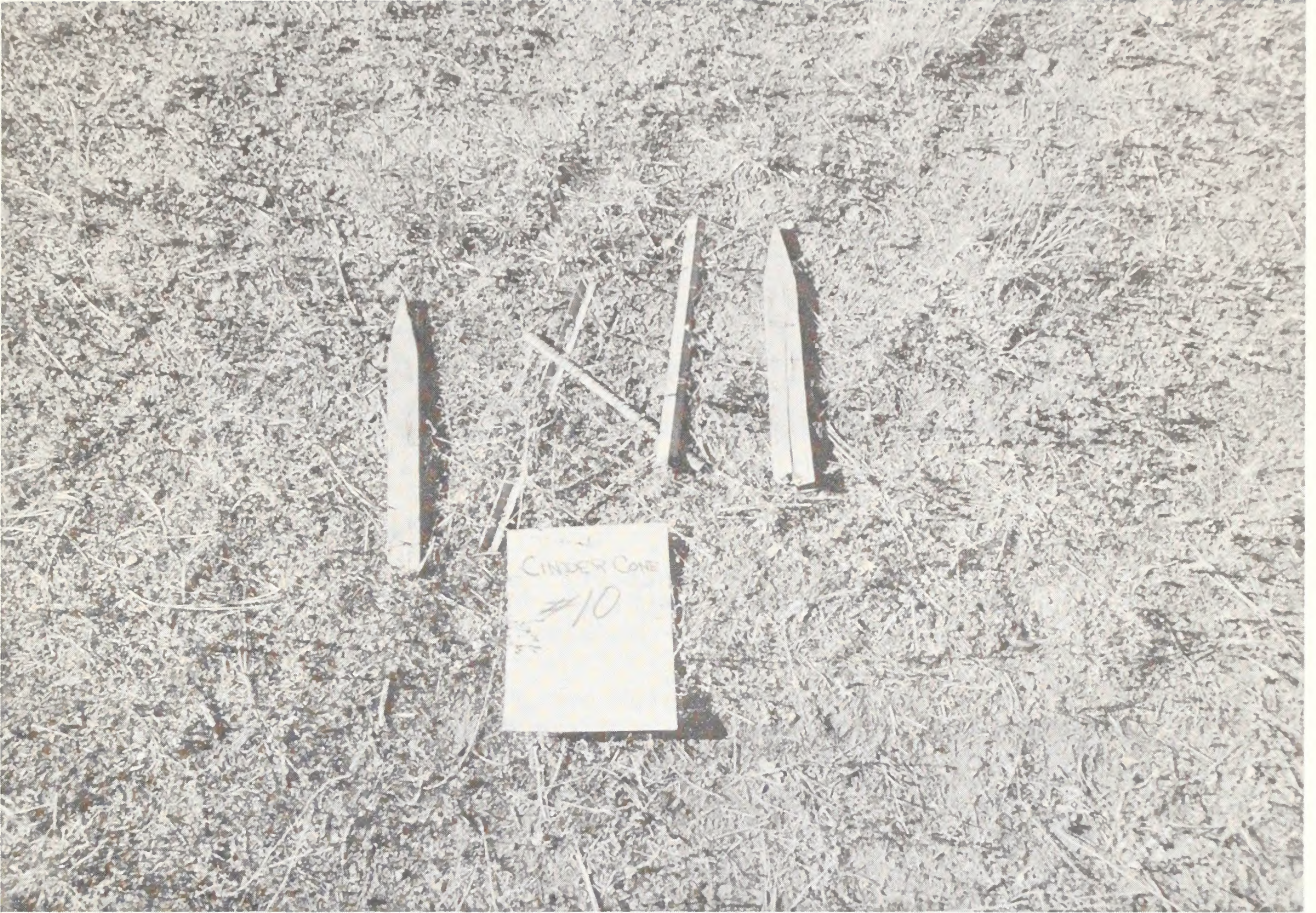
Bullet defaced sign



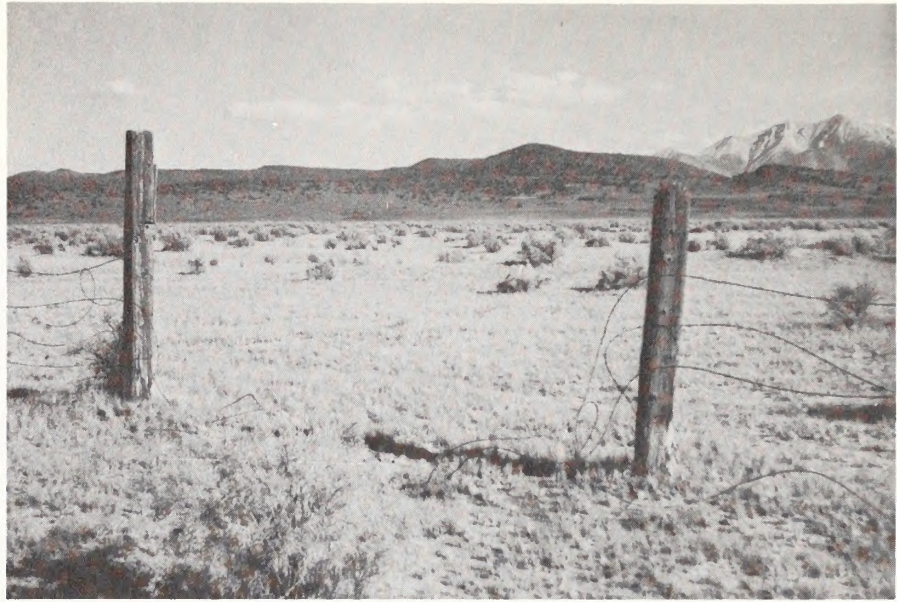








Condition and trend survey markers pulled up



Fence cut



Tree deliberately cut down

The Rainbow Basin Interpretive Site was vandalized on the weekend of January 16-17, 1971. Several signs, a toilet door molding, and toilet shelves were torn down and burned. The main interpretive sign was damaged but not destroyed. An itemized list of the damage follows:

	<u>Value</u>
Motorcycles Prohibited sign	\$ 25
One Way sign	10
Rainbow Basin Parking Area sign	50
Men sign	5
Women sign	5
Interpretive sign (two routed boards split and chipped - see photo).	100
Toilet doors and molding (one broken and one burned - see photo).	40
Toilet shelves (4 removed and burned)	25
Extra cleanup required and misc. damage	25
	<u>\$285.</u>



Damage to Rainbow Basin interpretive sign. An attempt was made to pry the top boards off resulting in split boards and defacement of the text.



This photo shows damage to the door, shelves and Women sign. The Men's side was similarly damaged.

Fire Guard Stations were vandalized this spring in Susanville and Bakersfield Districts. Vandalism at the Crowley Lake Fire Station occurred between April 14 and 20, 1971. Damage was estimated at \$125. Bedroom windows, the vent glass of the main bathroom, the back door glass and light bulbs were broken, tops of the washer and drier were scratched, and locks on the back door of the trailer and the tool cache were jimmied. Investigation was made by the Mono County Sheriff's Office.



Broken bedroom windows



Edge of door bent from prying on door.

### Personal Damage -- Injury and Deaths

A few belligerents harass BLM land managers and recreation visitors. Thugs harm some visitors. An estimated 490 major crimes such as larceny, aggravated assaults, car clouts and robberies and 1280 lesser offenses such as earlier mentioned occurred on BLM desert lands in 1968 with 5,000,000 visitor days use. These estimates of crimes and offenses against people were based on actual 1968 occurrences in the San Bernardino National Forest and Joshua Tree National Monument per 1000 visitor days use. These were projected to the BLM desert lands and checked against observations in the desert. The projection was necessary because BLM doesn't have a records system for such offenses.

Criminals look like any other visitor. The Manson case defendants were apprehended on BLM land. We have been told that of the 10 most wanted men on the FBI list, at least two are believed hiding out in the desert.

Most of the public visiting BLM recreation areas cooperate and follow posted rules but some others cause considerable trouble. Losses in resources, facilities and lives have not been inventoried but are high.

Man-made hazards such as traffic congestion and old mining shafts are problems. And there are natural hazards such as great distances away from any settled areas, heat, and lack of water. These hazards are causing injury and death to visitors.

Here are some observations on hazard problems in one California BLM district. Preliminary and general analysis made by the Riverside District indicate at least 103 areas of hazards, plus extensive areas of contamination due to military ordnance. Twenty-one of these hazardous areas are located in heavy use off-road vehicle areas. Numbers of known hazards are categorized as follows:

<u>No.</u>	<u>Type</u>
1,500	Shafts, tunnels and trenches.
25	Hazardous roads with large quantities of washouts.

The effect on visitor use is reflected on death occurrences in the Riverside District public lands during the past year:

6 - 10 accidental deaths due to speed and lack of safety devices in the Sand Hills areas in Imperial County, resulting from congestion and unmanaged use of dune buggies and other off-road vehicle uses.

4 deaths in Kelso and Dumont Dunes in San Bernardino County (for the same reasons).

3 deaths from cycle races throughout the District.

5 deaths at El Mirage, located in Los Angeles County, resulted from cycle, auto and gyrocopter uses.

1 - 6 deaths in Imperial County outside the Sand Hills.

2 deaths in mining shafts.

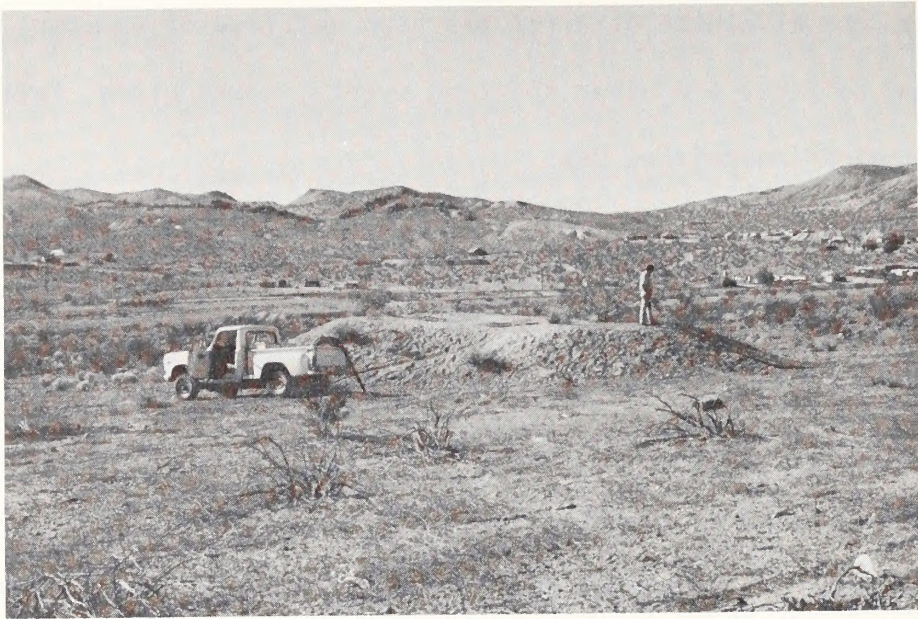
Enforcement reports regarding land status, are indefinite in some cases, hence the estimates of fatalities.



In addition, the Riverside District has been notified of numerous injuries due to races and other sporting events, snake bites, falling limbs and general recreation use.

The people using public lands are largely from urban areas and for the most part are unaware of the many dangers on the public domain. Though posted rules are made for the health and safety of visitors, some deliberately refuse to comply. One girl left to wander in a snake-infested area (posted as such) was bitten by a rattlesnake. A motorcyclist went off an abrupt cliff by not following sign instructions.

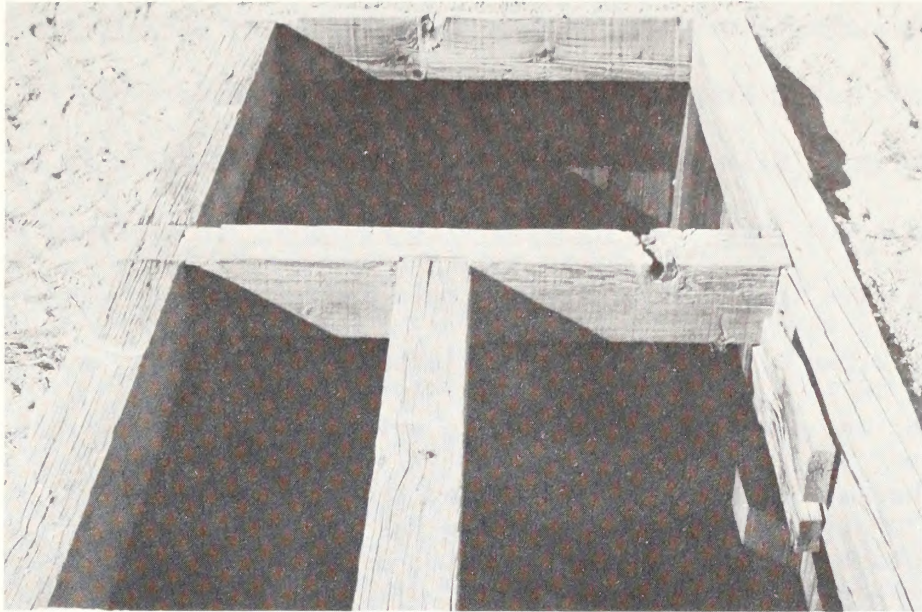
The photographs show the scene of one accidental death. On February 6, 1971, during preparation activities for a motorcycle event starting at Red Mountain, a 12 year old boy drove his motorcycle into an open, abandoned mine shaft, 210 feet deep.



View of mine shaft dump looking westerly.  
Assumed direction of approach of cyclist.



View of mine shaft dump looking westerly. Old mine workings at Red Mountain  
in background of photo. View taken to simulate view by cyclist prior to jump.



View of open mine shaft, as it may have looked to cyclist during jump. Fresh scar at lower right of cross timber, in right center of photo, is presumed to represent point at which cycle struck the shaft. Hoisting compartment at top and manway compartment at bottom of photo.

Here are a few problems that made the papers and some that the districts have reported to us. Many other examples are in Volume III.

Sheriff's Lieutenant Oren Fox stated that a group of motorcyclists and dune buggists piled cross ties and debris on the Southern Pacific tracks 10 miles north of Glamis, forcing a train to stop. There were about 10,000 people out there that Thanksgiving weekend. In the same general area, rocks were thrown at a passing train and an engineer was injured when a rock broke a windshield on the locomotive. A deputy and a railroad investigator who went to the scene were met by a fusilade of rocks and had to withdraw. Later attempts to find the offenders were not successful. Fox said motorcyclists and dune buggists usually do a good job of policing their own but, in this case, there apparently was no control over several dune buggists. Fox said the Sheriff's office has rescue units which can go into the Imperial Dunes, but does not have lightweight dune-buggy type vehicles to pursue offenders.

Another type of vandalism in California is illustrated by a memorandum from the Bakersfield District: "We received a call from Mr. Lefty Dennison, foreman for the Rudnik Trust on November 19, 1970. He called to report vandalism to their Lienburger Camp on public lands on the weekend of November 14-15. Buildings were torn down and the wood was used for campfires. I told him to report the vandalism to the local sheriff's office."

Here is another report: "A nine year old minibike rider was killed when he collided with a truck and trailer about 8 a.m. yesterday on State 78, 28 miles east of Brawley. The California Highway Patrol officer said the youngster and his family were camping in the area. The victim had been driving the vehicle in the desert area prior to the accident when he rode out onto the highway."

Vandalism costs are indicated by this report of the Forest Service in California: "The costs of vandalism in the 17 National Forests in California last fiscal year (1970) amounted to \$353,235, reported the Regional Forester. He pointed out this damage cost was for 1,100 different forest recreation sites with damage reported in excess of \$25. Campground restrooms, stoves, tables, information signs and other recreation facilities constructed for the public were purposely destroyed by vandals."

Tom Hoots, District Forest Ranger, U.S. Forest Service, told Assemblyman Eugene Chappie at a legislative hearing that there is a very serious problem at Pinecrest, particularly in a one square mile area around Strawberry Reservoir. He reported that in 1969 there were 740 law violations between Memorial and Labor Day, about twice as many as the year before. He said the first increase in crimes was noticed in 1967. This is just about the way most of us observed the marked increase in crime. Even more dramatic at Pinecrest was the number of persons involved in violations. The year 1969 saw 589 visitors involved in incidents

compared to 3,528 in 1970, a six fold increase in one year's time. A breakdown showed 45 percent of these violators came from the Bay Area, 30 percent from the Central Valley and 3 percent were locals. Most of the funding for law enforcement is by local taxes. When 97 percent of the problem comes from outside the county, it's a severe hardship on the community. Another impact on the local community results, when we develop campgrounds or any recreation facility which attracts people from the outside. The county involved is forced to provide additional services.

Here are two more reports of offenses from BLM California districts:

On February 4, 1971 we made a field trip to Saline Valley. We went as far as the artesian well on the road to Lower Warm Springs. The area around the well is a filthy mess---There is a great deal of garbage in the area---. Also, there are piles of human feces throughout the area with streamers of toilet paper under almost every bush. People had been cutting down the few shade trees in this desert area to use as firewood, and there are remains of many old campsites and campfires. This area appears to have had heavy use in the last few months.

This is an abbreviated log of what happened with a number of rangers on individual patrols during the Thanksgiving weekend at the Anza-Borrego Desert State Park. The area manager, Jack Hessmeyer, had divided his sprawling 488,000 acre park into six patrol districts. "Seventy-three campers on the fringes who are using the park. Thirty-two bikes just

came through the 17 Palms area. A rockhound club digging rocks in Palm Wash was camped at Pegleg. I made them stop digging and move out, explaining that pretty rocks are our only decoration here in the desert. Found evidence there had been a motorbike accident with possible injury in Arroyo Salada Canyon. Found a group of bikes, 27 in all, having a jackrabbit race on the sand flat in the vicinity of Basin Wash. A group of 39 bikes doing the same thing in Basin Wash. Found 21 bikes having a race in Bank Wash. 97 campers before I had gone 10 miles, and each camper had from two to four motorbikes attached to the camper or on trailers. Pulled seven campers out of soft sand so far today. Pulled six cars from soft sand. This place is loaded. Campers are almost bumper to bumper from Arroyo Salada primitive camp to 17 Palms Oasis. Caught a lady washing dishes in the spring at 17 Palms Oasis. I asked her if she would like soap in her drinking water. Had "hippie" problems this morning. Campers near them said they were shooting pistols. The "hippies" said "No." The campers said they were riding their bikes in the mud hills. The "hippies" said, "No." Five cars pulled into the entrance at Ella Wash, each with a flat bed trailer, and each trailer loaded with four to six bikes. Already have 200 plus."

#### Impact On Local Government

Another aspect of the law enforcement problem is the impact on local governments because of the interrelated activities and responsibilities of federal and local governments.

How Bureau land is used or misused has a specific and vital effect upon many services and functions which must be performed by local government.

How this land is managed for the multiple uses and developed affects the dollar return to the community. What the community does has a tremendous impact on the land. City people are visiting in ever increasing numbers the open public domain where there are fewer restrictions, little supervision and no effective enforcement. People are seeking to escape the tensions caused by crowded cities where not enough open space and recreation pursuits have been provided. They seek to escape car and industry caused air pollution, traffic jams, noise, neon signs and behavioral regulations. And with their exodus comes to the country crime typical of the city, damage and destruction of resources and facilities, and a drastic increase in number of user injury and deaths. The development of new roads and road improvement by a county or by BLM, new recreation facilities, the identification of special historical or archaeological attributes, etc., affect visitor use. Tourism increases. The Sheriff has a heavier workload in the country. With increased use, roads must receive greater maintenance. A chain reaction results and the increased burden to the local and federal governments is expensive.



## LAW ENFORCEMENT AUTHORITY

### State Law

Basic law enforcement is traditionally a state problem and in this regard, most major categories of public and private offenses are adequately covered by state law. Since the public domain is under a proprietary jurisdiction, the Bureau of Land Management may look to state law enforcement in the same manner as a private individual. The applicable state laws generally will be found under the following categories: Offenses against the habitants such as arson and burglary; offenses against property which includes larceny and robbery; offenses against the public health, safety, comfort and morals; and offenses against public justice and authority.

BLM is entitled to protection under State law as any other citizen, but as a practical matter the Sheriff's first consideration is people protection and services. He is short handed and therefore keeps his forces close to the more densely populated areas, leaving the more remote BLM lands under protected. This same pattern exists regarding the Highway Patrol and other State Law Enforcement Agencies.

Where willing, the Sheriff may deputize a BLM employee as a peace officer, and that employee may accept such appointment in the scope of his federal employment when sanctioned by BLM. The BLM peace officer may then enforce State law on Federal land where the U.S. has proprietary jurisdiction. He may also cooperate with the Sheriff to enforce

State law on private land intermingled with and around the BLM land, providing such an activity is reasonably necessary to properly protect the BLM land. However, the BLM peace officer must have the full support and cooperation of the Sheriff, District Attorney, local Judges, County Board of Supervisors and even the local citizenry if he is to function. All of this support is necessary because state law violators are tried in state courts by state prosecutors and sent to state jails and prisons.

BLM personnel without state peace officer appointments have the rights of any citizen to present facts and evidence before the proper authorities, but should ordinarily obtain advice from a BLM protection specialist before any action is taken. But such specialists are extremely rare in number.

#### Federal Law

In addition to the general categories listed above, which it is believed are covered by adequate state law, there are certain specialized statutes which deal with the protection of Federal Government property. These are federal laws, the violation of which would be prosecuted through the federal systems of courts. Examples of these types of laws would be fire law, wrongful cutting of government timber, Antiquities Act, unauthorized occupancy, grazing, agriculture, taking of materials, etc. The objectives, authorities, responsibilities, policies, and procedures for the guidance of Bureau employees in preventing and controlling trespass of this type are under 9230 - TRESPASS in the BLM Manual and Appendix. <sup>1/</sup> Where the law prescribes criminal sanctions, BLM normally

<sup>1/</sup> Appendix section of the Law Enforcement Handbook, Volume II.

refers federal crime investigation to the FBI, directly or through the Regional Solicitor and U.S. Attorney. Civil matters are investigated by the BLM.

In California, the Bureau's present trespass backlog numbers about 1000 cases of which three-quarters are unauthorized occupancies. Generally, with this type of trespass, federal civil and criminal laws are adequate to dispose of them. But, difficulties arise. One is that BLM doesn't have enough managers to prevent or quickly investigate and dispose of such trespass. Another problem is that the Federal Courts and U.S. Attorneys are far too few to expeditiously handle the large case backlog, and legal proceedings consume much time.

To illustrate the slowness of federal court action, BLM had removed by legal proceedings, a 20-foot wide expandable home from a prime recreation site located along an all year stream. The home was detected in January, 1967. There were no mining claims or other conflicts. Immediate action was taken by BLM district personnel, State Office staff, and the Regional Solicitor's office. The case was brought before the U.S. Attorney in August, 1967, and he filed a complaint for ejectment August 24, 1967, asking for the delivery of possession of said premises, removal of the home and cleaning up of the debris. Not until September 13, 1968 was judgement obtained for the United States; and the home was removed on December 20, 1968. By the most aggressive action of BLM, Regional Solicitor and U.S. Attorney staffs, ejectment of home and opening the site to public use took almost two years, from January 1967 to December 1968.

### Rules and Regulations

The most glaring deficiency in state and federal laws available for carrying out the protection responsibility on the public domain lies in the area of specialized rules and regulations. These are necessary to properly regulate the use of government services provided to the public, such as campgrounds or other recreation installations. As an example of the deficiency of State law in this regard, we find that all specialty regulations in the State of California are found in a special section of the State Code. This section is made applicable only to the state parks and recreation areas and cannot be applied to BLM.

The U.S. Forest Service and National Park Service, like the BLM, are involved with recreation uses of federal land. But, unlike BLM, they have been provided by Congress with federal statutory authority to enact rules and regulations, the violation of which are petty offenses which can be processed in a system of minor federal courts administered by United States Magistrates.

Although the Secretary of Interior has the authority to enact rules and regulations, there is no statutory authority for BLM which provides punishment for violation of those rules and regulations other than specialty regulations which can be enacted under the Taylor Grazing Act in areas within grazing districts. The major problem in use of the authority under the Taylor Grazing Act is that many of the areas of the public domain which will be developed for recreation uses are not within the grazing districts and therefore, not subject to the

authority under the Taylor Grazing Act. The legislation similar to that necessary to provide BLM authority for enforcement of its rules and regulations can be found in Title I, Sections 112 and 113 of Senate Bill S.921 which was introduced by Senator Jackson on February 23, 1971. <sup>1/</sup>

### County Ordinances

An interim alternative to having Secretarial rules and regulations enforceable by criminal sanctions would be the use of county ordinances enacted and supported fully at the local level specifically to cover the specialized needs of the Bureau of Land Management. Certain BLM rules and regulations dealing with firearms, littering, open fires, speeding, occupancy and so forth would be covered by county ordinances. Violation of such rules would then be infractions or misdemeanors under State law. The ordinances would be enforced by locally appointed peace officers. Thus, the BLM rules could indirectly be enforced through county ordinances on the public domain.

The ability to get any uniformity between counties in such a series of ordinances is rather remote. Yet, this approach may have some merit in certain areas and shouldn't be ruled out as a tool in coordinated law enforcement.

### Contracting

There is no statutory authority for BLM to pay the Sheriff and other local law enforcement forces for services generally provided BLM on

<sup>1/</sup> See Federal Legislation Needed, Volume I, Page 83, and Federal Enforcement Bills, Volume III.

public domain. The exception, it appears, is where additional local law enforcement services not ordinarily furnished the private individual are provided BLM. However, there always would be a gray area as to whether the services purchased would have normally been furnished any citizen. To eliminate this danger, legislation such as H.R. 7259,<sup>1/</sup> introduced by Congressman Teague April 6, 1971 for the U.S. Forest Service, is desirable. Such legislation for BLM would help permit protection of the public domain by a combination of federal effort supplemented by State or local law enforcement.

<sup>1/</sup> See Crimes Against Persons, Volume I, Page 85, and Federal Enforcement Bills, Volume III.

## LAW ENFORCEMENT OPPORTUNITIES

### Status Quo -- Penalties of Inaction

BLM can continue the status quo with no enforcement involvement.

The advantages are a visible savings of dollars and manpower which could be diverted to resources development and management and the non-involvement of BLM personnel in law enforcement conflicts having potential for personal injury or loss of life.

On the other hand, there are severe penalties for inaction. Rare or endangered wildlife and plant species may become extinct as human depredations go unchecked. The answers to many unsolved problems in anthropology, archaeology, and paleontology will never be found because of the destruction of these artifacts, fossils, and remains. The historical remains on the public lands will disappear. Health and safety hazards, crime, and even deaths of visitors and workers will continue to increase. Careless recreation use of the public lands will continue and littering will foul the scenery and cost thousands of dollars for cleanup annually. Cultural values that are priceless and can never be replaced will be destroyed. Indiscriminate off-road vehicle use will cause damage to fragile lands. Vandalism and theft of Federal property at its present level will soon wipe out the recreation benefits of campground construction, etc. Maintenance and replacement costs will be prohibitive. Why put up a sign which would

be unreadable in a month? The person in the outhouse full of bullet holes has an uneasy feeling. You can count on BLM employees being involved in confrontations with large hostile groups. Harassment of visitors will continue.

The Study Team does not believe inaction is the answer. BLM must develop law enforcement capability to protect visitors, resources, and property after persuasion, education and cooperations fails.

#### U.S. Forest Service Approach

BLM's law enforcement might be patterned after the United States Forest Service (U.S.F.S.) approach. Designated U.S.F.S. officers, uniformed and trained, enforce rule and regulation violations without weapons and short of offensive action. U.S. Magistrates try violators. Civil authority (i.e. police, sheriff and highway patrol) enforce State and local laws and ordinances and protect people. The U.S.F.S. requests local civil authority to make necessary forceable arrests and to take whatever offensive actions are necessary in confrontations such as with "sit-ins" on U.S.F.S. land. Federal criminal actions needed are performed by U.S. Marshals, F.B.I. and other Federal law enforcement officers. The Forest Service officer supplements his regular enforcement authorities with minimum defensive action needed to protect the life and safety of Forest Service personnel and/or forest users.

The chief advantage to this approach is that U.S.F.S. officers are not lawmen and therefore can schedule their full time and money in land management activities, selling timber, etc.



The U.S.F.S. officer becomes defensively involved only as a last resort to protect himself and others when law enforcement officers are not available. In a showdown, with the U.S.F.S. approach, safety and not law enforcement is served, unless local law enforcers are contacted, are available and arrive on time. Without additional men, local law enforcers cannot assist the U.S.F.S. in a way commensurate with the growth of public land use and the crime rate. Local law enforcement officers seldom can travel to the more remote U.S.F.S. areas such as trailheads and campgrounds. They are not staffed to prevent crimes in these areas and can do little about such crime incidents as cars being broken into and personal property stolen, especially when informed long after the fact.

#### National Park Service Approach

The National Park Service (N.P.S.) has an approach to law enforcement which developed because, in many instances, the N.P.S. has exclusive jurisdiction over the land. Park Rangers are the responsible law enforcement officers. They make arrests and are authorized to carry firearms as a means of personal protection and as an aid to enforcement. They are uniformed and highly trained in law enforcement procedure which includes making arrests. Besides law enforcement, ranger duties include traffic management, fire control, visitor protection, natural resources management, rescue, inspection of public facilities and safety.

The highway patrol, sheriff, etc., can assist the N.P.S. as requested on lands where the N.P.S. has concurrent legislative jurisdiction with the State or proprietary jurisdiction. For enforcement on these lands the Ranger can hold appointments as deputy sheriff, town or township peace officer and State fish and game officer to uphold State law and work in close cooperation with these agencies. In areas of exclusive or concurrent legislative jurisdiction, the Federal Crimes Simulation Act makes violations of a State criminal law a Federal crime enforceable by the Park Ranger and/or Park Police as Federal officers.

The N.P.S. has in addition to Rangers a voluntary contingent of the Capital Park Police who are available for special assignment in any of the U.S. parks and monuments. They are highly trained professional policemen and are uniformed differently than the Park Rangers.

#### Working with State and Local Governments

Highway patrol, sheriff, etc., enforce certain State and local laws and ordinances on BLM lands. Conditions of such enforcement are that State law is written to include federal lands and enforcement doesn't conflict with BLM's proprietary rights.

The State traffic officer with the California Highway Patrol is primarily concerned with the safe, proper use of the highways within the State and with providing assistance to the motoring public. He normally patrols along main highways and not along back country roads.

The County Sheriff in California is responsible for enforcing State and county laws and ordinances and for preserving the peace. He is short of funds and manpower because county taxpayers pay for their own law enforcement needs but often refuse to pay the additional high law enforcement and related costs caused by non-county recreationists and tourists. Nearly all the California desert recreation use is by out-of-county southern California coast metropolis dwellers. The sheriff gets to the desert rarely except during rescue operations and special calls.

The California Division of Forestry enforces State fire laws and suppresses wildfires.

The California Department of Fish and Game wardens enforce State laws relating to the protection of fish and game.

The BLM with proper authority could contract with local law enforcement agencies for enhanced protection on its lands. It might be desirable in some problem locations to set up sheriff substations whose forces would provide special protection services to certain BLM lands. BLM would reimburse the county for such services.

The alternative to having Secretarial rules and regulations enforceable by federal criminal sanctions would be the use of county ordinances enacted specifically to cover the specialized needs of the BLM.

The ability to get uniformity in such a series of ordinances, even in one state, is so remote this method of enforcement appears undesirable.

### Further Considerations in Approach

In October 1970, California Assemblyman Eugene A. Chappie held four hearings in his district to learn from rangers and supervisors of State and Federal public lands what the law enforcement problems were and what the solutions might be. He heard that the use by increasing numbers of recreation seekers on public lands has created serious law enforcement problems. Testimony given at these hearings is summarized by Assemblyman Chappie <sup>1/</sup> and should stimulate thought and action on solving some of BLM's law enforcement problems. He covers use and misuse on public lands, what public land agencies can or can't do about rising crime, and how to fund augmented local law enforcement. He states that local peace officer enforcement isn't the total answer. He discusses communications and education needs. He talks about overlapping competing jurisdiction and legislation. Assemblyman Chappie points out that the recreational use and misuse of state and federal lands within his Assembly district is soaring and crime on public lands is rising alarmingly, too. Within this Assembly district lies all or part of five National Forests, one of the National Parks, 13 State Parks, and so forth. He says the records show over 10 million visitor days of use per year in this area. In the last five years, he said, recreation use within the Tahoe National Forest has soared 210%. He talks about the impact of the recreation multitudes on public lands and their facilities and on local law enforcement agencies -- in a word, it's a mess. He points out that most public land supervisors

<sup>1/</sup> See Assemblyman Chappie's report "Law Enforcement on Public Lands" in Volume III.

believe the critical period is now, and better communication and education are long range and partial solutions to some of their problems. Still, for the law-abiding majority, improvements in these areas are essential.

Communication media and roadside signs can be utilized better to inform the public before they leave or arrive at a recreational area. Law enforcement and juridical areas seem to be a maze of overlapping, conflicting and competing powers, Chappie said. He said expert legal counsel believe such jurisdictions can be simplified and improved. Presently, national parks are federal enclaves within the State, with their own law enforcement, magistrates and courts. Within U.S. Forest Service lands, rangers enforce rules and regulations and can refer certain violators to magistrates. Within state parks, peace officer rangers can do the investigation, arrest and transfer of suspects, or call in local peace officers to do it. And, what about the new Kirkwood ski area which lies in three different counties! Which county sheriff and which court will have jurisdiction there? When Assemblyman Chappie talks about legislation, he urges the following: Resolutions memorializing Congress to authorize grants to local law enforcement and to increase forest receipts reimbursement to counties for law enforcement; a state park "impact" tax subvention to local government; authorization of park peace officers to carry weapons; registration of off-road vehicles; clarified jurisdiction; required recreational land use certificates and courses; and establishment of a summer public land youth corps.

Assemblyman Chappie's report is interesting and the Study Team urges reading of it.

At Yellowstone, Superintendent Jack Anderson said a new system of user education has been put into effect. Before you enter the Park, there is a sign that says, "Turn your radio on to such a station." By car radio, you hear about the beauty of the park, what to do to protect it, etc. As you drive in the park, a sign tells you to turn to another channel, and you hear specific commentaries about local park attractions. Perhaps this is an interesting form of education to the public in using public lands.

The opportunities of citizens to enjoy park and recreation facilities in safety and comfort are decreasing. Rapid population growth and continued rise in standard of living brings increased citizen demands for more parks and other open space for traditional services, for new activities such as snowmobiling and cross-country motorcycling, and for social and political activities such as sit-ins, rock concerts and festivals. The increasing fiscal and administrative strain on available resources of park/recreation and enforcement agencies is degenerating public services. In response to this threat to the welfare of citizens, the national forum <sup>1/</sup> - "Changing Concepts in Citizen Safety in Parks and Recreation" - was convened during May, August, and October 1970. The overall purpose of the forum was to explore ways and means

<sup>1/</sup> National forum summary statements, recommendations, proposals, and suggestions of forum task forces are in Volume III.

of increasing the combined capabilities of park, recreation, and law enforcement agencies to provide responsive public services in relation to citizen use of park and recreation facilities. Generally, city park/recreation problems were considered by the forum participants, where predominant use is by surrounding community residents. Keep this in mind when reviewing forum recommendations. BLM, USFS and NPS recreation facilities are predominantly used by people from many miles away and not by the nearby residents.

The study team members participated in the Western Region forum session of October 22-23, 1970 and support most recommendations. (One difficulty arises: How do you find and work with the wildland recreationists so that they are involved in making rules and regulations governing wildland use?) We support particularly the following recommendations applied to the public domain:

1. Further research into the nature, cause, and prevention of antisocial behavior in parks and recreation facilities, areas, and programs; into the ameliorative effect of therapeutic recreation services on all types of deviant and antisocial behaviors related to citizen safety in parks and recreation programs; and fact-finding and data-collecting related to citizen safety in parks and recreation.
2. Law enforcement agencies (park and recreation or otherwise) are encouraged to seek out recruits whose background experience and education are more social service oriented (people-minded people) and less authoritative in their involvement and enforcement of law and ordinances.
3. Much greater attention, at all levels of law enforcement training, should be given to sensitivity training, group dynamics, interpersonal relationships, leadership skills, and orientation to the socio-economic make-up of the clientele served.

4. All enforcement officers involved with recreation and park agencies should be required to have a summer internship where they function as a recreation staff member.
5. Seek Federal legislation and funding which would give Federal jurisdictions legal authority to contract for state, county, and city law enforcement services.

During the summer of 1968, behavioral problems in three intensively developed water oriented public recreation areas in the State of Washington were studied by researchers sponsored by the Pacific Northwest Forest and Range Experiment Station. Study results were published in Parks and Recreation, pages 28-31, 51-55, December 1968, titled "Law and Order in Public Parks". <sup>1/</sup> The range and magnitude of deviant behavior observed in the studied campgrounds are similar to that observed in BLM campgrounds. The published study report stratifies the behavioral problems for the purpose of better recognition of underlying causes and solutions. Deviant behavioral problems observed are theft, vandalism, destructive play, unthinking adults, rule violations, illegal camping, rangers versus users, and littering. Underlying causes are rapid population growth, more leisure time, greater prosperity, improved equipment, population becoming more urban, the "norm of non-involvement", and general disrespect by some for the law. Here are some of the guidelines offered to solve some of the problems:

1. Administrators must recognize that managing the people who use public parks is a challenge of the first magnitude.

<sup>1/</sup> Reprinted in Volume III, from PARKS and RECREATION, December 1968, official publication of the National Recreation and Park Association.



Camping has become a social experience; policy, rules, and ranger training must be based on this fact.

2. Increase the visibility and availability of uniformed personnel.
3. Adopt common campground rules and standards of enforcement across agencies.
4. Campground design should strive to recognize the social aspects of camping.
5. Urban population needs more education in the care and use of the natural environment.
6. More information and interpretive programs should be given in the public parks.
7. Exploit the opportunity to educate uninformed but well-meaning campers during personal contacts by park rangers in a pleasing but systematic fashion - a job rangers should be intensively trained to perform.
8. As campers increase, so will the problems caused by deviant behavior. Old standards, rules, management policies, and approaches will become obsolete and outgrown. Recognition of the problems and new efforts to cope with them are imperative.
9. Strengthening the police powers of park authorities, though not a complete solution, is an important ingredient.
10. Legal authority of personnel in most agencies is extremely limited, and unfortunately this weakness is recognized by the worst offenders.
11. Cooperating law enforcement agencies, such as the sheriffs, are often overworked and unavailable. Legal changes whereby campground rangers could be made more effective should be explored.
12. The individual camper must himself shoulder much of the burden. Users must take some personal initiative to stop wrongdoings.

In the operation of a BLM Ranger Force, Volume II, computer dispatching is recommended by the Study Team as an ultimate technique. Dispatching would be based on daily location predictions of people plotted against hazards such as flash floods, crowds, high temperatures, special events, potable water location, and open mining shafts; values such as historical ruins, rare and endangered flora and fauna, petroglyphs; and BLM facilities.

Rangers would patrol to minimize risks as identified by the computer.

A number of police departments, one wildland fire department and others have such a computerized dispatching system today. Remote sensing as to location of cars may even be incorporated into the BLM dispatching system. Development requires consultant services. <sup>1/</sup>

When we talk about BLM law enforcement officers being intensively or highly trained, we mean that besides the basic training identified in Volume II there would be advanced follow up training. Sensitivity training, group dynamics, interpersonal relationships, leadership skills, and orientation to the socio-economic make-up of recreationists visiting the public domain would be regularly given. Biannually, Rangers would receive follow up training at some State or Federal law enforcement school. Interchange of training with the C.H.P., sheriff, California Division of Forestry, is a tremendous way to exchange information, better understand each other's problems, and better coordinate protection. Where Rangers operate, "Roll Call" Training would be given before each work shift

<sup>1/</sup> Recommended is a discussion with Robert Heller, Project Leader, Remote Sensing Project, PSWF and RES, P.O. Box 245, Berkeley, California, 94701. He was formerly Project Leader, Fire Suppression Computer Dispatching Project.

by film strips, sight-sound training series, talk back, lecture, and by inspection. Roll Call Training provides training in such subjects as first aid, vehicle trouble shooting, traffic control, how to approach visitors and visit with them, how to be forceful when necessary, keeping up on laws and how to reasonably enforce them, self defense, resource values, how to interpret and guide, search and rescue, investigations, crowd control, how to lay out and supervise special events and rallies, inventory and reporting. Self training would be offered through periodicals such as "The Training Key", "Crime Control Digest", "Police", and by other type periodicals on non-police subject matter suggested under Roll Call Training. Correspondence courses would be included. Two-year college Rangers having demonstrated quality capability would be sponsored by BLM to a Four-year accredited college or university and upon graduation would be given greater supervisory responsibility. All training would be provided in accordance with training guides developed to insure professionalism in a service oriented, law enforcement BLM system.

Here are some last thoughts which pertain to prevention: A sociologist's analysis of the underlying reasons why people behave as they do in wildland recreation areas is needed; there is a place for careful planning; and Ranger appearance deserves special attention.

Reflect back to the campground incident, page 28 , where a maintenance man stopped youths from shooting in a BLM campground and shortly thereafter

the campground was wrecked. What did the maintenance man say to the shooters and how?

Where wood cookstove/fireplaces are constructed in a desert campground where no wood exists, how come wooden signs and picnic tables are torn apart and burned?

Attitudes toward a Ranger may be formed based on appearance alone. In the interim of Bureau Uniform policy, the National Park Service clothier or some other name clothier should be consulted regarding the outfitting of BLM Rangers in top quality shirt, trousers and jacket. In the place of a badge, the Ranger would have a high quality name tag and on his left arm sleeve would be the BLM shoulder patch. Recommended for each Ranger is a \$250 annual clothing allowance to cover such prescribed clothing costs.

## SUGGESTED BLM LAW ENFORCEMENT APPROACH

### Overview

The Study Team concludes that crime, hazards and damage are increasing on the public domain and are out of control.

People are damaging and destroying BLM resources and property, harassing and injuring other people, and they are injured or killed by hazards on the public domain. How do we control this rampaging misuse, rowdyism, theft, vandalism and user-manager confrontations on these BLM lands? Losses are extensive and control has not been achieved by persuasion, cooperation and education so far, partly because we haven't people or money to carry on a prevention and safety program. And then, we lack enforcement authority of our rules and regulations.

In some remote BLM areas arrest authority, which we don't have, could be very useful for the protection of visitors and property. Contracting for enhanced law enforcement protection in these remote areas might be possible and desirable if we had such contracting authority.

Hazards on the public domain were responsible for at least two deaths in the last few months, one occurred by the over-turn of a jeep on a steep fire break trail and the other by a motorcyclist driving into a deep mining shaft. More than 21 deaths attributed to hazards have occurred this past year. Legislation is needed to permit federal action to eliminate hazards caused by past mining.

Analysis of the law enforcement successes and failures in state and federal approaches leads us to a suggested law enforcement approach for BLM. This approach has been developed by first discussing what BLM could do in resolving its problems with adequate funding and manpower, and then identifying what else could be done with legislation and different policy direction.

### Trespass

Trespass acts such as theft of timber, Christmas tree, sand and gravel and decorative stone can be adequately administered under existing federal laws. A good trespass prevention and investigation program administered by skilled trespass personnel following procedures in the BLM Trespass Manual 9230 should eliminate most of this problem.

However, one essential change recommended is that trespass of all kinds be coordinated and directed by one head at each of the different Bureau organizational levels and not handled as it is today as a part time function of each BLM subactivity. In addition, a thorough and continual training program in trespass prevention and investigation is essential.

### Hazards

Hazards can be classified as persons, property, places and situations. Some hazard factors are deficient visibility, unguarded premises and presence of such conditions as reservoirs and abandoned mine shafts. The presence of people can constitute hazards such as when crowds

gather, particularly when comprised of juveniles, or when arguments, fights or panics occur. The lack of regulation enforcement authority, itself is a hazard.

Hazards such as long distances in the desert between service areas or insufficient potable water in hot arid areas, dangerous swimming areas, severely rutted or chuck-holed roads, tunnels, shafts and trenches in most cases can be made harmless by appropriate action such as warnings, patrolling, blocking, or filling, if adequate funds and manpower were made available. Actions to prevent or eliminate these hazardous conditions are identified in the inventory process. <sup>1/</sup> BLM by Instruction Memo No. 67-489, <sup>2/</sup> gave such direction relative to recreation areas, but this has not been extended or manualized. This policy should be continued.

A very serious hazard problem requiring federal legislation relates to shafts, tunnels and trenches on unpatented mining claims. When are they abandoned and how do you make contact with the claimant, abandoned or not? Who eliminates mining hazards on the public domain?

Federal legislation needed:

3/ Mining claimants shall file a description of position of his claim in respect to the public land survey and make and record proof of his annual assessment work with the Bureau of Land Management as well as the County Recorder, and failure to perform such annual assessment each year and record the same for two consecutive years constitutes abandonment of such mining claim and its reversion to the public domain.

1/ See the Hazard Inventory, Volume II.

2/ Included in Volume III.

3/ Abandoned Mining Claims Resolution, from California State Advisory Board Proceedings, Annual Meeting, March 3-5, 1971.

1/ Mining claimants shall not create hazards on the public domain. Tunnels, shafts and trenches must be made harmless by proper fencing, signs and whatever else is necessary, and filled or blocked when abandoned. Where the mining claimant fails to take such safety measures to protect the public, then BLM shall make the hazard harmless. BLM costs shall be reimbursed by the mining claimant.

With the above type of legislation, shafts, tunnels and trenches which are a threat to the safety and well being of public land users could be expeditiously eliminated as a hazard.

In regard to the people hazards, such as potentially dangerous crowds or gatherings, rowdiness, drug use in campgrounds and insecurity of premises, our present policy calls for leaving such matters to local law enforcement. Under present local law enforcement financing, this doesn't work, not even in recreation areas close to towns like the Yuba River Campground and trail within 15 to 20 minutes drive of Nevada City, the county seat, Nevada County. Here the Sheriff even refused to accompany BLM personnel when they were forced to confront a "hippie" type group living on BLM land at the popular swimming and fishing area at nearby Edwards Crossing. This potentially dangerous confrontation was necessary to clean up health hazards caused by these people in their failure to follow sanitation practices along the Yuba River.

The law enforcement finance base of many counties where BLM lands are located is inadequate to support enough deputy sheriffs, equipment, jails, etc., to control people behavior in remote BLM recreation use areas or where large crowds gather. During the Easter week by

1/ In addition to the Abandoned Mining Claim Resolution, the Study Team suggests additional legislation to prevent or make safe the hazards on public domain.



underground reports an estimated 500,000 youths and young adults were to gather near Ballarat in the California desert just west of Death Valley. Actually, only 1,500 to 2,000 showed up and were rather peaceful. For this occasion, the Inyo County Sheriff in the second largest county in the United States could muster for crowd control six patrol cars and if he emptied his jail could confine about 75 persons standing up. The Highway Patrol could send in about 20 officers and some communications equipment. Neighboring Sheriff's offices, primarily San Bernardino County, the largest county in the United States, could send at maximum about 100 deputies within 2 or 3 hours. This support would pull a large number of deputies from along the Colorado River and place a terrific burden on the San Bernardino County Sheriff. To watch over the Death Valley National Monument, the NPS could bring in for standby duty about 25 park police. In summary, give or take a few law enforcement personnel, 140 law enforcement officers represents the total one time law enforcement capability, excluding the National Guard, in Inyo County, California.

Perhaps the reasons not too many people showed up at Ballarat were the rumors of blowing sand, heat, rattlesnakes, scorpions and no water, and perhaps the restraining order obtained by the County Government against the promoters helped. The restraining order meant that the promoters could have been arrested if the event took place. They formally called the event off but still a good sized group of people gathered.

In respect to crowd behavior, the control possible at Ballarat with the immediately available 15 man Sheriff's deputy force was -- watch and by their presence in the crowd maybe prevent any serious incident. There is one newspaper clipping in Volume III, which tells of one Imperial County Sheriff's Lieutenant's feeling in a crowd confrontation near Glamis during last Thanksgiving weekend -- helpless. Prevention techniques play a very big role in limiting and reducing the size of crowds, rowdyism, etc., where the lives of people are at stake. Highly trained BLM law enforcement personnel are necessary in this type prevention program in remote public land areas. For the California Desert a Ranger Force has been proposed and such a force may be desirable in other Bureau land locations. Regardless, special skills in preventing such hazards are needed by BLM personnel in every district. We don't have these skills now and when we do they should be coordinated and directed by a BLM organized and well trained resource and visitor protection group.

To illustrate prevention in people hazards control, the U.S.F.S. and N.P.S. by day patrols in campgrounds -- making personal contact with campers, taking descriptions, license numbers, and identities of possible offenders, explaining the why of rules, etc. -- prevent a lot of after dark rowdiness and vandalism. These type patrols in U.S.F.S. areas also free Sheriff's deputies to patrol other areas. Sheriff's patrols are directed only to serious potential U.S.F.S. areas after being alerted by observant U.S.F.S. patrols. In order to size up crime potential situations for the Sheriff, U.S.F.S. patrolmen

must be highly trained in law enforcement and work closely with local law enforcement officers.

#### Vandalism and Misuse or Overuse Against BLM Land and Resources

There are types of vandalism, misuse and/or overuse against BLM land and resources -- rock painting, water pollution, land scars from off-road vehicles, overstaying at campgrounds, campground speeding and excessive noise, dumping of waste water, digging of plants for home use, etc. -- where damage measured in money is not significant and where litigation under federal law in federal court is discouraged. Usually in such matters State laws too are absent. This type of problem could be brought to tolerable limits through BLM rules and regulations, if there were criminal sanctions. Even without enforcement authority, BLM personnel well trained in law enforcement could eliminate some of this type vandalism or misuse by making public contact in an information-education patrolling program as described under hazards.

The Secretary of Interior has made outdoor recreation rules and regulations for the orderly management of the public domain but federal legislation is needed to enable punishment for rule and regulation violations. Further, the rules must be rewritten to give a person due notice. In this regard examples are the N.P.S. rules and regulations. BLM rules and regulations tell what a person shall do but fail to identify acts which are prohibited. Compare the two. <sup>1/</sup>

<sup>1/</sup> BLM Recreation Rules and Regulations are in the appendix, Volume II. Corresponding N.P.S. Rules and Regulations are in Volume III.

Federal Legislation Needed: <sup>1/</sup>

Violations of the public land laws and regulations of the Secretary relating to protection of the public lands and the uses thereof shall be punishable by a fine of not more than \$1,000 or imprisonment for not more than six months, or both. Any person charged with the violation of such laws and regulations may be tried and sentenced by any United States Commissioner or Magistrate designated for that purpose by the court by which he was appointed in the same manner and subject to the same conditions as provided for in section 3401 of title 18, United States Code.

The Secretary may authorize such persons who are employed in the Bureau of Land Management as he may designate to make arrests for the violation of the laws and regulations referred to above. Upon sworn information by any competent person, any United States Commissioner or Magistrate in the proper jurisdiction shall issue a warrant for the arrest of any person charged with the violation of said laws and regulations, but nothing herein shall be construed as preventing the arrest by any officer of the United States, without warrant, of any person taken in the act of violating such laws and regulations.

The Secretary is authorized to promulgate such rules and regulations as he deems necessary to carry out the purposes of public land administration.

Useful State Legislation: <sup>2/</sup>

Registration of vehicles may be useful where there are off-road vehicles unmarked or unidentified on public land. There are over one million motorcycles and other two-wheel vehicles in California, but only about half are registered. It is very difficult to stop land misuse caused by such off-road vehicles where you are not able to trace the vehicle to someone.

Certain State laws and County Ordinances may be useful to the Bureau of Land Management and should not be overlooked as one of the tools to effectively control visitor use on the public domain. Such laws and ordinances should be identified in cooperative agreements between BLM and local law enforcement agencies.

1/ See S.921, Title I, Section 112-114, Federal Enforcement Bills, Volume III.

2/ See State Enforcement Bills, Volume III.

### Vandalism Against Property

Vandalism such as the shooting of signs and outbuildings, the burning of signs and tables, and littering are offenses covered by State and local laws which could be enforced by trained Bureau law enforcement officers on the public domain where the BLM has proprietary jurisdiction and the ranger has a peace officer appointment sanctioned by BLM. Generally, such offenses are infractions or misdemeanors under state and local laws and would not be enforced by BLM. The BLM law enforcement officer would form a close liaison with local law enforcement people and assist where possible. BLM patrols should reduce the amount of such vandalism, with enough public contact.

State peace officer appointed Bureau personnel are needed for example in BLM force account fire protection responsibility areas to enforce State fire laws. Such BLM sanctioned peace officer appointments should be limited in scope of duties as a federal employee and their peace officer services on BLM land within these limits should be fully supported by the Federal Government. A Bureau-wide policy statement might read:

BLM personnel, highly trained and mentally and physically suited in law enforcement work may be designated law enforcement officers and/or rangers by District Managers after State Director approval. As authorized by the State Director, these officers may accept state peace officer appointments for the purpose of enforcing certain State laws on federal land where such enforcement benefits resource and visitor protection. The State Director will identify those peace officer services of the BLM employee which are within the scope of his federal employment. All services performed in this capacity will be fully supported and defended by the Federal Government.

## Crimes Against Persons

Crimes against persons on the public domain such as theft, assault and harassment are State law misdemeanors or felonies and should be enforced by State and local enforcement officers. The BLM law enforcement officer without peace officer authority could assist, and with peace officer appointment, could enforce. However, the BLMer in this type crime should primarily work in the role of prevention with close liaison with local law enforcement. The following federal legislation is urged to encourage liaison, close support and cooperation, including cost reimbursement between BLM and local law enforcement:

The Secretary, in connection with the administration and regulation of the use and occupancy of the public land, is authorized to cooperate with any State or political subdivision thereof, on lands which are within or part of any unit of the Bureau of Land Management system, in the enforcement or supervision of the laws or ordinances of a State or subdivision thereof. Such cooperation may include the reimbursement of a State or its subdivision for expenditures incurred in connection with activities on Bureau of Land Management lands. This Act shall not deprive any State or political subdivision thereof of its right to exercise civil and criminal jurisdiction, within or on lands which are a part of the Bureau of Land Management system.

## Implementation

To prevent duplication of effort, to provide quality leadership, and to give positive technical direction to the field in matters of trespass and law enforcement, we recommend the Director of the Bureau of Land Management organize a rudimentary BLM visitor and resources protection services program staffed at the different organization levels. Through the restructured Director's protection staff

consisting of a trained leader in law enforcement and resources protection, a trespass and law enforcement officer, a sociologist, records and procedures officer, standards and training officer, and program coordinator, would come interim law enforcement policy and guidance regarding uniform, training, duties, information-education approaches, patrol, chain of command, records, reports, hazardous duty classification, use of defensive weapons, special qualifications, career ladder and pay scale for specially designated BLM law enforcement officers, specialized equipment, definition of employment where appointment of a BLM officer as a State peace officer is required, and establishment of State and other Federal coordination and cooperation standards.

Each BLM State Office would have at least one highly trained person in trespass and law enforcement to head up the program. Heavy recreation use states, in addition to the staff suggested for the Director's Office, might have ranger chiefs responsible for visitor and resource protection in several project areas, e.g., California Desert and large reservoir type recreation complexes. The State Office visitor and resource protection service should be under the Division of Resources and not Technical Services. It is more than a support function. Operations must be closely coordinated with resources activities.

BLM District Offices, depending on work load, would have staffing similar to the State Office. Every district would have at least one highly trained trespass-law enforcement officer either under the Operations Chief or Resources Management Chief who would be responsible

for direction and operation of the visitor and resources protection services program.

The Area Manager would direct protection specialists, i.e. Rangers, assigned to his Area. The Area Manager directing Rangers must himself be knowledgeable in law enforcement and associated visitor and resources protection duties and responsibilities.

The California Desert Ranger Force Implementation and Operation plan, Volume II, represents our initial management approach in providing for the safety of visitors and protection of resources on large areas of public land intensively used by people. It is directed to a BLM Ranger Force in the California Desert starting FY 1972. We believe the plan proposals could be expanded Bureau-wide as the need arises.

The basic plan report is in two parts. The first identifies the FY '72 Ranger orientation, training, and work schedule. The second part gives detail regarding the BLM Desert Ranger force and its operation.

There are eight appendices to the plan which are necessary to guide the Rangers in their duties. These include applicable BLM material as well as the best of other works.

Appendix 1 is a proposed BLM Law Enforcement Handbook vital to Ranger operation. A compendium of material screened from numerous sources is brought together into this BLM Law Enforcement Handbook. We believe it has Bureau-wide application. Some parts of the Handbook as indicated are yet to be developed before the Rangers start work.



The authority section of the Handbook is founded on 3 years study of BLM's law enforcement capabilities and needs. The research staff included an attorney from the Regional Solicitor's Office who wrote the material on legal authorities of BLM. A number of legislative proposals are made which, if such laws were enacted, would give BLM the legal tools to work with local government in law enforcement.

The Policy section of the Handbook indicates how the Ranger and other BLM personnel would carry out law enforcement responsibilities under existing BLM authorities. Direction is similar to that used by Region V, U.S.F.S.

The Handbook has an Appendix section which includes Guidelines for the Management of Off-Road Vehicle Use on the Public Lands in California. These guidelines were developed primarily because of the heavy impact on the California Desert by off-road vehicles and include considerable input by the California Off-Road Vehicle Advisory Council.

BLM Instruction Memo No. 70-320 in the Handbook appendix modifies the above guidelines regarding closures.

The BLM Law Enforcement Handbook appendix also includes the BLM Manual 9230 - Trespass for ready reference by the Rangers in that type of problem. It does not provide guidance in problem types related to vandalism, theft, crimes against persons, and hazards.

Appendices 2 - 5 of the plan are forms developed for California to record recreation use, off-road vehicle use, hazards, and violations. They

will eventually be included in the State BLM Law Enforcement Handbook and may have application Bureau-wide. To support any law enforcement program, violations must be reported. The Violation Study Report has one entry block "Developed Sites Posted Rules or Signs Prohibit" which related to BLM Manual, Subpart 6261. The information called for on the form is necessary to identify and quantify protection problems on the public domain after which solutions may be developed. Ultimate protection alternatives would be determined and analyzed with inventory and experience. Immediately, enabling law enforcement legislation must be sought. Consulting services by such organizations as the International Association of Chiefs of Police, the Commission on Peace Officer Standards and Training and State Sheriff's Associations should be obtained along with local citizenry involvement to help chart and evaluate continuing field operations. Questions yet to be answered: What overall control system should be developed to effect integrated enforcement on private and public lands? What legislation should be enacted by State and Federal to implement integrated enforcement? Should there be a National Police Force to administer law and maintain order on the Federal lands where extreme problems exist? It is our view that success in the protection of visitors and resources on the public domain can result only through a closely knit enforcement body composed of BLM, USFS, Sheriff, Highway Patrol, CDF, Border Patrol, etc., each performing a particular role and fully supporting the other.

## SUMMARY OF MAJOR RECOMMENDATIONS

### VOLUME I

#### PAGE

- 85-86 Organize at Director, State and District level a resource/visitor protection service to operate a BLM trespass, visitor safety, law enforcement program.
- 76-77 Fund the resource/visitor protection service program to bring under control property and resource damage, theft, personal injury and deaths, and reduce the impact on State and local governments.
- 70-72,  
87-89 Implement and operate a California Desert Ranger Force as developed in Volume II and supplemented by recommendations on pages 70 - 72.
- 70-73 Seek out Ranger recruits who are social service oriented and educated in resources, parks and recreation management.
- 77 Intensively train Rangers and other trespass/law enforcement personnel.
- 84 Designate BLM law enforcement officers and/or rangers. Permit their acceptance of state peace officer appointments to enforce State laws on federal land. In this capacity, fully support and defend their actions.
- 75 Provide Rangers a clothing allowance and specialized equipment.
- 70 & 74-75 Start sociologist's analysis of the underlying reasons people behave as they do in wildland recreation areas.
- 78 & 88 Immediately inventory hazards and start a prevention/reduction program.
- 78-79 Secure Federal legislation requiring mining claimant to file claim location and record proof of annual assessment work with BLM. Further, see that mining claimant creates no hazards on BLM and where he does, BLM is reimbursed its abatement costs.
- 89 Bureau-wide implement a uniform reporting system of law, rule, and regulation violations.

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- 83 Secure Federal legislation stipulating that rule and regulation violators may be punished by fine and/or imprisonment with trial and sentence by U.S. Magistrate. Designated BLM officers may make arrests. The Secretary is authorized to make necessary rules and regulations.
- 82 Rewrite BLM rules and regulations to identify acts prohibited.
- 83 Secure State legislation making registration of off-road vehicles mandatory.
- 66 & 85 Secure Federal legislation enabling BLM to cooperate with State and local law enforcement offices in the enforcement or supervision of State and local laws and ordinances on BLM land with reimbursement when needed to State and local offices.
- 88-89 Record systematically recreation use of BLM land. Inventory form must be designed to identify resource/visitor protection needs.
- 76-89 Develop a closely knit enforcement body consisting of BLM, USFS, Sheriff and others, with responsibilities clearly defined and each fully supporting the other.

## WISHFUL LOOK INTO THE PAST

BLM had more authority in the year 1610 to enforce campground and anti pollution laws in California than today. Virginia's boundaries in 1610 extended from sea to sea, and therefore included California. Here is the law given by the Virginia Company to Governor Sir Thomas Gates and Lt. Governor Dale of the Colony Virginia Britania in 1610. <sup>1/</sup>

The martial law established by Sir Thomas Gates in 1610 and enlarged and approved by Lord Delaware in 1611 takes account of foul waters in the street, the possibility of contaminating the drinking water, and the necessity for placing latrines at a safe distance from the wells:  
"There shall no man or woman, Launderer or Launderesse, dare to wash uncleane linnen, drive bucks, or throw out the water or suds of fowle cloathes, in the open streete, within the Pallizadoes, or within forty foote of the same, nor rench, and make cleane, any kettle, pot, or pan, or such like vessell within twenty foote of the olde well, or new Pumpe: nor shall any one aforesaid, within lesse than a quarter of one mile from the Pallizadoes, daŕe to doe the necessities of nature, since by these unmanly, slothfull, and loathsome immodesties, the whole Fort may be choaked, and poisoned with ill aires, and so corrupt (as in all reason cannot but much infect the same) and this shall they take notice of, and avoide, upon paine of whipping and further punishment, as shall be thought meete, by the censure of a martiall Court."

We still prescribe the same rules but cannot enforce them.

<sup>1/</sup> William Strachey(ed.), Lawes Divine, Morall and Martiall, London (1612) Reprinted in Force, Tracts.



## CONCLUSION

In simplest terms, we need action now, planning/research for tomorrow, and continued interaction between the two. We will not correct anything until we recognize that problem-solving is as much prevention as it is repair. Problems cannot be shelved as deftly as proposals.

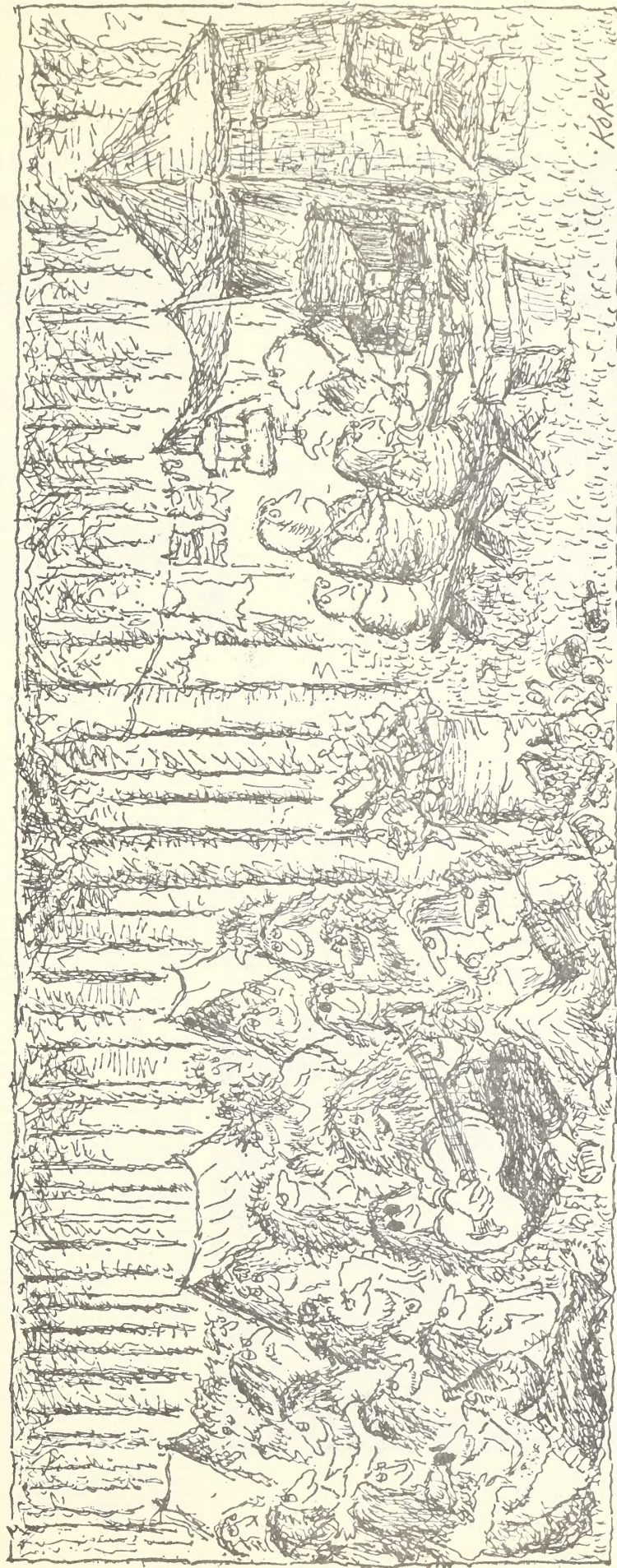
Nor can they be ignored any longer: What were once "mere" nuisances in public land management now surface as crises. People are hindered, hassled, and hurt. Lands are worn and mutilated. And it happens more and more frequently. A systematic approach to the effective handling of these problems, coupled with disciplined study into the conditions generating them, is the only route open to us.

Hopefully, this study is a step along that route. Further progress will depend on those who carry it on. For ultimately, people, not programs, manage people and resources. The success of the ranger force proposed here rests finally on the men and women who will implement it - and on the public they serve.

The following article by Robert A. Jones - his "Report on the War at Generation Gap" - concludes our study. It captures well the complexity of the problems we are faced with; it accents, too, the poverty of our present efforts to tackle them.







"The angst of our age has arrived in the national parks in the form of tension, fear, animosity, harsh words and even violent manifestations of hostility between the generations. Still, the national parks remain areas of unparalleled beauty if one avoids the congested sites."

# National Parks: A Report on the Range War at Generation Gap

BY ROBERT A. JONES

WHEN L. E. Curran of Houston, Tex., returned from Yosemite National Park last year, he was furious. His vacation had been ruined.

So he wrote to the National Park Service to complain about "those greasy-headed Spock spooks" who were invading Yosemite. "I suggest using tranquilizer guns and pellets on them," he said in his letter.

The Yosemite Park rangers, of course, did not use guns and pellets, but several weeks after Curran's letter, on the holiday weekend of July 4, 1970, they did use ropes, chemical Mace and nightsticks in a battle with more than 400 young people, a battle that at one point forced the rangers to abandon the

ROBERT A. JONES is a 26-year-old West Coast writer whose work has appeared in such publications as the New Republic, Newsweek, The Sunday Times of London,

entire eastern end of Yosemite Valley. It was the first riot in National Park history. The underground tabloid Berkeley Tribe described the valley as an "occupied zone" and concluded that "the hired assassin rangers are trying to rob us of our last sanctuaries. Guerrilla wars in the mountains are now becoming a possibility—there is no peace in a police state." One young man called for a "10,000-freak army" to recapture the valley, the most heavily frequented part of Yosemite Park, from "those old guys with their fat trailers, fat wives and fat wallets."

And thus the angst of our age arrived in the national parks. It is with us this summer, too, in the form of tension, fear, animosity, harsh words and even violent manifestations of the hostility between the generations. Just a few weekends ago, for example, I stopped by Yosemite's Campground 14. A young,

long-haired camper kept the stereo tape deck in his car blaring Jefferson Airplane numbers at ear-splitting level hour after hour. At midnight, the park rangers appeared—eight of them together. They surrounded the offending camper ominously. There was a brief silence. "You want to cut that thing off?" a ranger said. The kid slouched over to his car and flicked the switch. Then he glanced up from the front seat with a half-smile. "It took eight of you to do that?" he asked. The rangers disappeared back into the night.

For years the parks had escaped the ills of America's cities; there was a peace in them not to be found in other places—almost as if time had stopped within their borders. In, say, 1949. No more. The young and middle-aged now eye each other suspiciously in the campgrounds and general stores of

Continued on Page 18



# Trailer-to-Bedroll Confrontation:

# Hippie vs. Square



## GENERATION GAP:

"It is here in Yosemite Valley that the battle lines have been most clearly drawn between the young and the old, and it is here that the Park Service will either solve the crisis or succumb to it."



scene is at least annoying . . . if not disgusting as the action increases. These people are not motivated to come to Yosemite because it is a place of beauty. . . . Rather the urge is based on the notion that here is a place where they can get with it. . . ."

Such a description does not seem to be couched in the language of a man trying to ease cultural tensions, and, indeed, the rangers are bitter in the wake of the riot in Yosemite last summer, the first riot in National Park history. The rangers have watched a new crowd move into their block, and they don't like it. The neighborhood, they think, is going downhill fast.

"You've got to realize," says Rumburg, "that for years the national parks had none of these urban problems. We worked in a kind of vacuum. So that when all these problems hit Yosemite at once, it took us by surprise."

## Surprise for Family Campers

The "surprise" of finding thousands of young people, many of them very freshy-looking to Middle-American eyes, gathered together in a small valley has hit not only the rangers but the family campers who, for the most part, have to live with their trailer-to-bedroll. In their home cities or suburbs the Middle Americans have usually been able to keep their own living areas distant from those of the people they now find ensconced three feet away. The proximity has been disconcerting.

George Adams of San Mateo, Calif., wrote to the National Park Service that he was enjoying a ranger-led nature walk in Yosemite valley last summer "when my son pointed to a rustle in the bushes nearby. 'What are those people doing, daddy?' he asked. My eyes followed his pointed finger to a hippie couple engaged in what appeared to be an act of fellatio/cunnilingus."

Chet Schwarzkoff of Alascadero, Calif., a veteran of both world wars, wrote that the most appropriate measure to be taken against the new breed of visitor could be found in a quotation from Kipling: "Have no truck with the senseless thing/Order the guns and kill!"

Two rangers who assign camping spaces in one of the valley's largest campgrounds estimate that 10 to 15 times a day people return to refuse their allocated site because they have been placed next to long-haired young people. "We have broken up as many as three or four fights a week between peo-

## Continued From Page 1

the more popular parks, fistfights are hardly a novelty, panhandling is endemic; petty thefts have soared; there are complaints about nudity; the smell of marijuana wafts through the meadows; the blaring of rock music and the roaring of motorcycles shatters the night, and the National Park Service is worried. "From this juncture on it is going to be Smokey the Bear with a big stick," says United States Marshall Arthur Van Court, who conducted a Government study of youth problems in the national parks.

Of course, there are national parks that remain much as they always were, and even those most transformed, such as Yosemite, have far fewer shaggy freaks than the East Village or Berkeley's Telegraph Avenue. Many family campers come, visit and leave the park as serenely as they did five years ago, and there are ways, as we shall see, to maximize the chances of such an outcome. But for many others the park will never again seem the same. The continual rub of two cultures against each other has given older visitors a sense of desperation over the loss of an area they thought would always be theirs, while younger campers feel shut out and separated from a park system that seems uncomfortable over their presence.

## Spreading Problem

Accordingly, resentment and hostility have become so serious that the Park Service now has a traveling riot squad, a "strike force," as one official phrased it, to put down riots the way rangers used to put out brush fires. And, more important, the Park Service has finally seen the critical need for reforms in park administration. The question now is whether it can act quickly enough. In Congressional testimony following the Yosemite riot, the National Park Service's deputy director, Harthorn Bill, described the trouble there and then sighed, "It is spreading." He listed the nine other Federal recreation areas (of a total of 146) that have been the hardest hit by "youth problems" and their attendant generational frictions, including Point Reyes and Cape Cod National Seashores, Lake Mead Recreation Area and Grand Teton, Yellowstone and Sequoia National Parks.

In California's Cleveland National Forest, Supervisor Myron Lee has threatened at least once to close down the recreational areas because, in his words, "there are some—what shall I call them—hippie types who are causing a lot of trouble." Lee said that "nakedness and marijuana" have been prevalent and that the activities of the hippies cause severe

distress to other campers. One family reported that they had "spent hours of terror" while young motorcyclists caroused in their area.

Similar troubles have plagued Haleakala National Park in Maui, Hawaii, where, according to Daniel Tohin, deputy director of the National Park Service's Western Region, 200 or so young squatters have, in effect, claimed a piece of ground on which to live. A continual feud smolders between the squatters and local townspeople, adds Tohin, and no one knows just what to do about it.

At Point Reyes, just north of San Francisco, the Park Service has begun clandestine surveillance of back-country areas for drug use. Head Ranger Philip Ward said his meo use binoculars and sometimes skulk behind sand dunes, waiting for the lighted joint or the popped pill. These techniques are employed to prevent the suspects from destroying the evidence, as they invariably try to do, according to Ward. The head ranger said he believed the general public supported the surveillance activities. "We get considerable complaints from people who do not like nudity . . . drug use . . . teen-age beer parties . . . and a number of other things," Ward said in an interview in The San Francisco Examiner.

But in the intensity of its problems no park can match Yosemite. In a sense, its virtues have been its downfall. The small valley itself has a lotus-like quality; it seems suspended in its cloudless summers, the waterfalls so high and far away that they fall soundlessly, the sheer walls seemingly protective of all that is good and clean. It is—or, at least, it should be—a perfect park in a perfect place, and last year more than two million people came to pay homage. In doing so, they made Yosemite Valley, which is within a day's drive of both Los Angeles and San Francisco, the most crowded spot in the National Park System. It is here that the battle lines have most clearly been drawn between the young and the old, and it is here that the National Park Service will either solve the crisis or succumb to it.

## Awesome Migration

In the past several years the increasing migration of college students and others of their generation to Yosemite has reached awesome proportions. On the busiest weekends of the summer as many as 55,000 people may be crammed into the valley, and park officials estimate that one-third of them may be under 25.

The young start their migratio in the spring, moving eastward from the coast. Erect or supine, eager or resigned, mostly shaggy, universally broke, they

gather in such places as University Avenue in Berkeley and Oak Street in San Francisco, extending their thumbs and a sign marked "Yosemite." Once they are inside the park, the strange, now-chronic range war renews itself, pitting the youths against the older, Middle-American campers, each side jockeying for the best pieces of land inside Yosemite Valley.

For decades the valley was the older campers' turf, all of it. It was crowded but quiet. Families with their Alstream trailers lumbered into the park like spawning whales to camp beside other families with other trailers. "It was calm and more peaceful then," says Joseph Rumburg, director of the National Park Service's Western Region. "The family campers went on our nature hikes and camped where we told them. We had very few problems; we could be rangers instead of cops. I guess it was too much to hope that it would last."

Alas, it did not. Yosemite Valley now

has more crime per square foot than any other section of national park in the country—and much of the increase falls into the category of "youth crimes." While such old-fashioned crimes as rape, murder and grand larceny have stayed on a fairly even keel, offenses like shoplifting from the stores and drug abuses have doubled in the past year. The situation is so new to the Park Service that in 1970 two new categories were scribbled onto the printed crime report: "run-aways" and "soliciting" (panhandling), with which a total of 119 people were charged last year. In contrast, only one person was charged with larceny over \$50 and only 11 were charged with littering. And in the past two summers the Park Service has been utilizing a new category of employee: the undercover narcotics agent, dressed like a college student, whose job is to buy drugs and make arrests.

But still, as Rumburg points out, the crime reports are only symptoms of a

more profound disease. The real problem, he says, is the constant friction of the two cultures in a very crowded environment. "It makes for an explosive situation because everyone is so shoved together."

Inevitably, the rangers are being drawn into the tension. "Look at 'em," said one ranger, gesturing toward the midday panhandling outside the general store, "these hippies are getting to be just like the chipmunks and the bears. Dependent on the tourists for their food."

## 'Annoying, if Not Disgusting'

And consider the appraisal of Lawrence Hadley, who until last fall was the superintendent of Yosemite: "They puffer from neighboring campers, drift aimlessly about the valley and bum food and money from park visitors. . . . By mid-afternoon hundreds collect to puff grass and drop pills, beat bongos drums and drink wine up on into the night. The



FAMILY FUN—"Every facility in Yosemite is geared to the richer, older generation. In many respects these days, the valley resembles nothing so much as some perfect form, some Walt Disney version, of suburbia, where everyone is 40, married, has two kids and a Buick."

Photograph by Steve Shacter/Photo West



# in the Crowded National Parks

ple who just don't like the looks of each other," one of the rangers says.

And Steven Wolf, a ranger in Yosemite during the time of the riot last summer, recalls, "We heard a yell once and there were two men with a rope chasing this long-hair across the meadow. The kid had been seeing the daughter of one of them, and they decided they had had enough. I'd hate to guess what they were going to do with the rope."

The Park Service has received hundreds of complaints about hippies, and although many border on the fanatical, others reflect an honest desperation, a fear that an essential quality in the national parks, a certain peace and feeling of refuge, is disappearing forever.

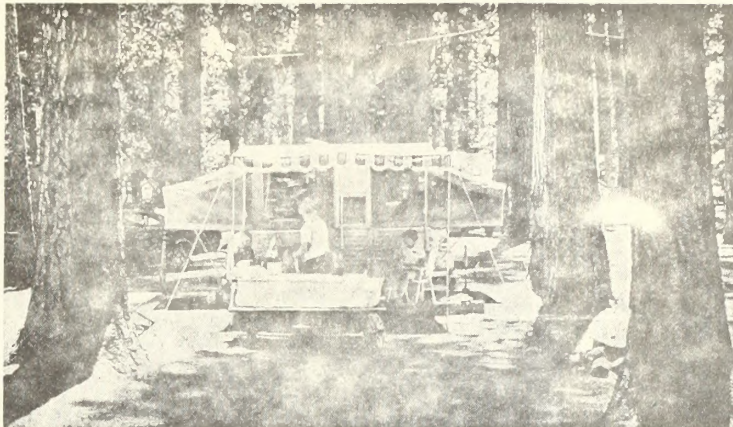
"My husband and I have come to Yosemite every summer for 15 years," wrote Mrs. Alice Jans of Pasadena. "But I doubt now that we will return. At night in our campgrounds we were truly frightened by bands of young people running like packs of animals between tents and cars, throwing firecrackers in every direction. They yipped and howled to each other until dawn. And during the day they had the nerve to come and beg us for money..."

### Thick as Ants

Ronald Klein of Panorama City recalled, "they were all over Stoneman Bridge, thick as ants. When other campers would walk by they would shout beligerently at them. During the night they would ride noisy motorcycles around and around the campgrounds. Before the disturbance [the riot] one young man about 21 walked into our camp, his eyes staring. I asked him if he was lost and he just stared and mumbled. Finally he walked to another camp and did the same thing."

Complaints like these reflect both fear and deep anger. The nights in any campground are very dark, and sensations that would only be annoying during the day suddenly become terrifying. A stereo player screaming rock music until 1 o'clock in the morning can be an oppressive instrument indeed. Six motorcycles on a bear run booming down a dirt road, the thick grunts of their engines reaching out of the complete darkness, is enough to make any Middle American feel frightened and threatened—and later, of course, put upon and enraged.

So much for the older campers for the moment. How do things look from the other side of the generation gap? Put simply and bluntly, many of the younger



**BEDTIME**—"Rangers who assign the camping spaces in one of Yosemite Valley's largest campgrounds estimate that 10 to 15 times a day people return to refuse their allocated site because they have been placed next to long-haired young people."

visitors to Yosemite believe the Park Service and its concessioners are systematically trying to shut them out of the valley. The main sources of rancor are new camping fees, which seem to have been set low enough so as not to discourage the Middle American but high enough to prevent many a young person from staying in the valley. In addition, in the eyes of hippies, the increase in fees at Yosemite has a suspicious relationship to the advent of the park's troubles. They began a year ago, about the time of the riot.

### Sample Case

To see how the fees operate, let us take the case of Jon Reiter, 24, and his girlfriend, Elaine, who came to the valley for a week's visit in June. Reiter is a former graduate student in biochemistry at the University of California who dropped out to live the simpler life. He is short and dark skinned and believes that somewhere in the past he had Indian ancestors. To emphasize the point he wears a beaded headband around his long black hair, and he does, in fact,

bear a remarkable resemblance to Tonto.

In the spring, after dropping out, he acquired a Ford van with a plastic bubble top and his thin, waiflike girlfriend. They decided to spend the summer on the road, starting with Yosemite.

"The trip," says Reiter, "was what you might call a bummer. All we wanted to do was lie in some meadow and let the sun burn out the grime and stink of the city. But, hell, man, we couldn't even do that. The dudes who run the park wanted money, and since we didn't have any, they wanted us out. Quick!"

In most national parks Reiter's accusation would seem silly. There is nothing so easy to accomplish as lying in a meadow in the sun. But, in Yosemite, Reiter can support his case. Upon arrival Jon and Elaine were informed by the ranger at the gate that their presence in Yosemite would cost them \$3. Or, if they wished, they could buy a season pass for \$10. They bought the pass.

"So we thought, well, ten bucks isn't too bad. And at least the money part is

better." Their van rattled down the road to the first campground where, the attendant said, there were plenty of campsites available, it being the middle of the week, and they could have one for \$4 a night. "For God's sake," says Reiter, "we didn't have enough money to pay \$4 a night. We had already spent \$10 just five minutes before we got into the park. Now they wanted \$28 more to camp for a week. Hell, we didn't want room service, we just wanted a piece of ground to camp the van."

### Financial Difficulties

They declined the ranger's offer and set off looking for an alternative. As it turned out, every campground in the valley cost \$4 a night and, of course, camping outside the campgrounds was illegal. "It began to look like Yosemite was out of our income bracket," says Reiter.

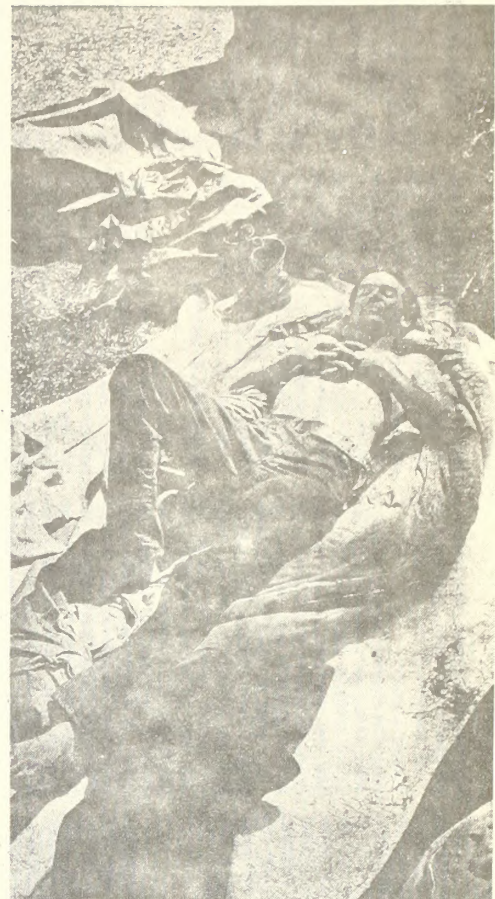
Off to a meadow. "By that time I expected a coin box at the edge saying, 'Reclining in meadow, 25 cents per half hour,'" says Elaine. But there wasn't and they flopped down on a blanket to consider their difficulties. "I was just lying there, thinking that, well, maybe we couldn't stay but at least we could get in a good afternoon of sun," she says. "That's when I heard a snort." She opened her eyes and stared into those of a horse that, though he seemed gentle enough, had a ranger sitting on top.

"There they were again. The tree fuzz! They wanted to see everything. Our identification. Our 'business in the valley,' as they put it. Our season pass. Then they looked for dope." Finding none, the rangers left, but Jon and Elaine were finished. "We threw the blanket in the van and headed out. We didn't even know where we were going. Just out." Being in a hurry, they stopped in the cafeteria, the least expensive place in the valley, to eat supper on the way out. They paid \$6 for the meal.

### Recommendation Ignored

Even though a study by the National Park Service recommended last year that a separate campground be established for young people who wanted to use it, the recommendation was ignored. Possibly such a campground could be "primitive," similar to grounds in other national parks that do not offer picnic tables, grills and flush toilets and do not charge \$4-a-day fees. Or, as the Park Service's report said, "Simply providing an alternative area [for young people], where others would not be bothered, [an area] for kids to meet, play instruments and gather during day or night might be a solution." That recommendation, too, was ignored.

For thousands of other young cam-



Photographs by Steve Shames/Photo West

pers, a visit to Yosemite is probably not so upsetting as Jon Reiter's and Elaine's, but, nonetheless, a few days' stay in the valley is enough to give most of them a mild case of culture shock. It is as if they have been in a world that simply does not recognize their existence. Every facility is geared to a richer, older generation. The bars and restaurants are expensive and "plastic," the hotel lobby requires coat and tie after 5 P.M., the door of the motel lounge carries a sign reading "For the use of Yosemite Lodge guests only." In the afternoon long conga lines of autos snake slowly between the supermarket and the laundromat. The supermarket, incidentally, refuses to accept food stamps, although it once did, before the park's troubles. And, finally, the ranger talks in the evening are so dull and so elementary that their purpose seems to be mainly the entertainment of small children, thus providing an hour of mass babysitting in many respects, then, Yosemite Valley these days resembles nothing so much as some perfect form, some Walt Disney version, of suburbia, where everyone is 40, married, has two children and one Buick.

But perhaps the worst effect of the multitudinous facilities is their consumption of usable space within a valley that is only seven miles long and never more than half a mile wide. Within this limited space the Park Service has seen fit to build nine grocery and general stores, a bank, seven gasoline stations, three swimming pools, two bars, a delicatessen, permanent living quarters for several thousand park personnel and hotels and lodges capable of housing 4,500 people.

There is not much open space left. What there is can be found in several large meadows, and it was one of these that became the scene of last summer's riot.

Cut off economically and culturally from the hotels and lodges, the sprawl of souvenir shops and chlorinated swimming pools, the assembled "freaks" had taken to Stoneman Meadow, a large

grassy glade next to Campgrounds 14 and 15. It must be admitted that it was not an attractive gathering. Mountain meadows are delicate creatures and the presence of 500 people lying, walking, urinating, exploding small fireworks and riding motorcycles over one of them does nothing for its general state of health. And what was worse, park officials contend, the gathering was noisy.

But all the evidence suggests that it was not, as former Superintendent Hadley claims, a "vicious mob." It was a party, probably too loud and unquestionably too messy, but still a party. The Middle Americans had their laundromats and Airstreams; the freaks had Stoneman Meadow.

### New Curfew

Not for long. At 7 P.M. a Park Service truck pulled up, announced a new curfew and ordered the meadow cleared. There is a normal curfew in the valley, but it is 10 P.M. At 7 o'clock the valley is still in full daylight.

"After an interval of 10-15 minutes, the crowd having made no move to disperse, the ranger force comprising 21 footmen and 16 horse patrolmen entered the meadow with the intent to break the crowd into smaller groups capable of easier handling and dispersal," wrote Hadley in his report of the incident.

The report reveals Hadley to be a man of some rhetorical sophistication. There is, for instance, the sentence "21 footmen and 16 horse patrolmen entered the meadow." Now there are many ways to "enter" a meadow, and although the sentence suggests a walk, there are accounts to the effect that the rangers chose another way. Here is the same scene as described by Sue Hooper, a college student from San Leandro, Calif., who was sitting in the meadow as the rangers "entered":

"About 7:20 P.M. people began screaming and scattering off in all directions. I stood up and saw rangers running with clubs. They had surrounded



**FUN FOR 'FREAKS'**—"At night in our campgrounds," wrote one woman, "we were truly frightened by bands of young people running like packs of animals between tents and cars. They yipped and howled until dawn."



# National Parks: Now It's 'Smokey the Bear With a Big Stick'

Continued From Page 19

the meadow and were charging without warning. Some were on horses. I got up and ran along with everybody else. As I ran I had to duck to avoid the lassos, and the horses were so close I could have touched them as they swept by. A friend of mine was not as lucky as I and was trampled by one of the horses. Many others were struck down and beaten."

Another witness was Dr. John Fisher of Jacksonville, Fla., a former Republican state legislator, who happened by while on an evening walk. "The horsemen suddenly burst forth in a pack, riding their iron-shod mounts directly into the midst of the seated assembly at full gallop, scattering those who were fortunate enough not to be run over. In one moment the peaceful meadow had been changed into a sickening spectacle by these 'peace' officers."

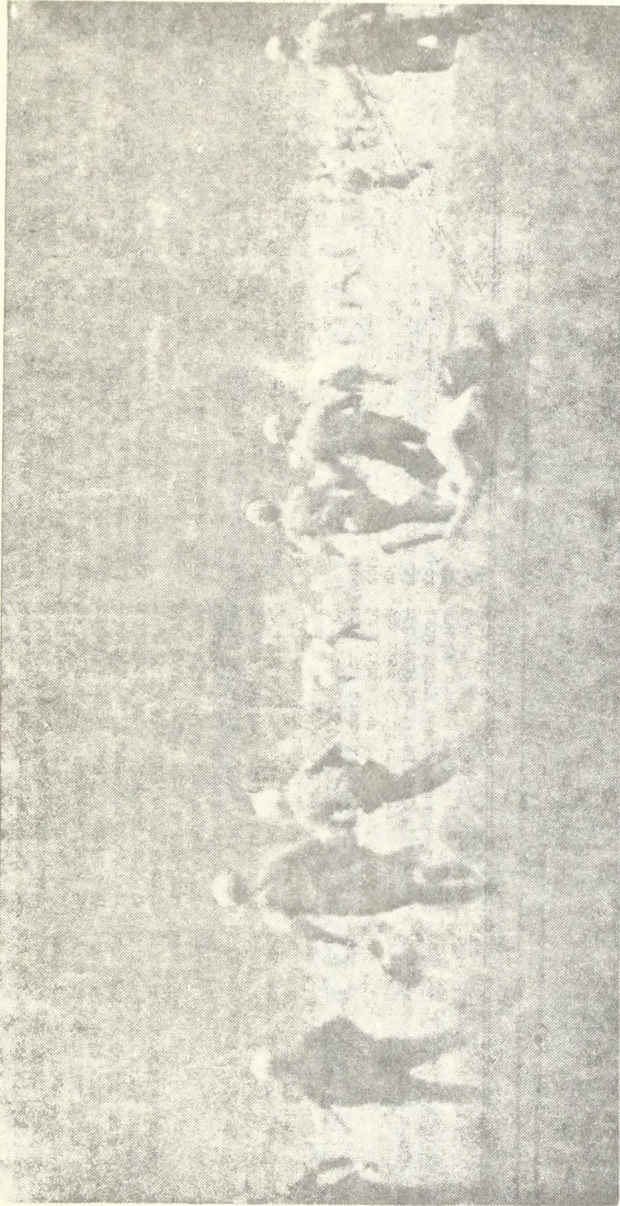
The crowd's reaction, Dr. Fisher reports, was a counterattack. Picking up rocks, bottles and almost anything else they could find, the young people rained a barrage at the rangers. Dr. Fisher threw his cigar.

## Battle Raged Through Night

The battle raged for most of the night, with the usual accolades attributed to both sides. By morning more than 135 persons had been arrested, about 30 were sent to the hospital and most of the young people had left the park, the result of rather persuasive work by what Hadley calls "constant patrols of the campground areas." One ranger who later resigned from the Park Service says he personally saw 40 people beaten in the night, usually after they had objected to the suggestion that they leave the valley immediately.

Stoneman Meadow was closed after the riot, and a brittle peace was imposed. In general, the Park Service's reaction to all this has not been reassuring. Faced with a choice of roles—arbitrator or cop—it has chosen the latter, viewing a social change in Yosemite as an epidemic of lawbreaking. Witness the following excerpts from Congressional testimony offered after the riot by Hartshorn Bill and Lawrence Hadley:

Bill: It is becoming more and more difficult to maintain law and order in some of the parks where certain dissident elements are a serious threat. . . . The demonstrations and confrontations that have commonly taken place in the urban environment are now spilling over into the large natural Federal reservations. A supple-



From a recently completed documentary by David Vassar

**THE BATTLE OF YOSEMITE—The first riot in national park history; Stoneman Meadow, Fourth of July weekend, 1970. The battle raged through the night, and 135 were arrested; 30 went to the hospital.**

mental appropriation is requested to provide for improved law-enforcement service . . . a strike force that might be needed.

Congresswoman Julia B. Hansen, Democrat of Washington: Our national parks cannot be a breeding ground for crime and dope pushers.

Hadley: I agree with you completely. . . . There are rangers on my force who advise me that when darkness falls they can act much more effectively against these people. . . . The [young dissidents] come from the cities and when darkness falls, they are in that much more of an alien environment. . . . During daylight hours when our rangers might effect an arrest of an individual of this kind, if there are many of his ilk in this vicinity, the fact of the arrest occurring acts like a spark. It seems to instantly trigger some kind of action or response, seeing one of their own being placed under arrest.

Mrs. Hansen: The tragedy of all this is the time [may] come when young people are forbidden the use of na-

tional park facilities. But if this [dissident problem] persists, you are going to find a hue and cry across the country for that to happen.

Hadley did not say so to Mrs. Hansen, but the fact was that, with the assistance of U.S. marshals, he had already tried to exclude a large group of young people from Yosemite. A battery of marshals were stationed at each gate to the park after the riot, instituting a "car safety check."

## 'Spot Check'

"They were supposedly using a spot check method, but you know it just happened that they picked out every Volkswagen van or painted truck, and the people driving them just happened to have long hair," says former ranger Steven Wolf. Hadley later acknowledged that the purpose of the check was "to forestall a build-up within the park of the kind of population that precipitated the action of Stoneman Meadow." He said the operation proved "effective" and noted that one gate turned back 200 vehicles in a single week.

It is as if the Park Service had missed a decade somewhere, as if it believed that the young people would just go away if the game got mean enough. In one sense, of course, it has missed a decade—the parks had been so removed from the urban disasters of the sixties that when the problems finally hit Yosemite the rangers were shocked and angry. They had believed they were immune. "To tell the truth," says Joseph Rumburg, "we were not prepared, and we handled the situation badly. I can only hope we learned something from last summer. Maybe next time we will have the foresight to stop the trouble before anyone starts swinging clubs."

In a sense, Rumburg and the management at Yosemite have succeeded, for there have been no riots in the park this year. But the reason for this season's calm is almost as disturbing as last season's tumult: The Park Service has provided a paramilitary solution to what is a social problem.

The technique is what the Park Service likes to call "high visibility of law enforcement personnel" and it means, in

place to start trouble," said Tompson, "and I guess we've been convincing in a sense they aren't here because we are."

Doubtlessly the "high visibility" policy of this year is infinitely wiser than the panicky horse charge of last year. Tompson also emphasized that he and his fellow officers "talk and smile one hell of a lot." But a gloved fist is still a fist, and no amount of smiling can erase the fact that young people have no place of their own in Yosemite Park, that the one place they had is now occupied by what they consider an enemy, and that the Park Service clearly plans to keep it that way.

## Attacking Overcrowding

In other, albeit indirect ways, the Park Service may be coming closer to eliminating the one principal cause of Yosemite's social problem: crowding. This is fortunate, for the service's past record is dismal. In 1969 a report by the Conservation Foundation titled "Man and Nature in the National Parks" criticized the Park Service for what it called "inappropriate huckstering" of the parks through all manner of tourist goodiebags. "The urgent problem," the report said, "is how to cope with the 120 million visitors each year to the parks; there is no call for advertising the attractions." It might be added that the number of visitors rose last year to 172 million and that 202 million are expected this year.

In Yosemite the fears of the Conservation Foundation have been fully realized. When 55,000 people crowded into a place as small as Yosemite Valley, there is no room to lubricate the friction between cultures. People who have brought their babies and fears with them from the New York or San Francisco metropolitan areas are shoved together in ways they have managed to avoid even in the city, no less the suburbs. The tension rises.

Perhaps equally damaging, the "inappropriate huckstering" has catered to the affluent white middle-class visitor, and any other segment of the population feels strangely out of place. The real crowding of the Western parks, in fact, is not so much a result of people as of the automobiles and camp trailers they bring with them.

The Park Service, then, has created or has allowed its concessioners to create, small, tense cities in regions that were designated to be wilderness. But now the service seems not only to have recognized the error of its ways, it has

Arthur Van Court's term, "Smokey the Bear with a big stick." Ranger Pete Tompson, riot-trained in the Park Service's special new school, sat atop his horse, equally riot trained, and talked of the new policy in Stoneman Meadow: "I guess you'd call it preventative control. We try to stop things before they happen, and that may mean a few arrests. A year ago, if we caught a kid drunk or high on drugs, we would have given him a warning. No more. Now, we bust 'em."

## Youths Few in Number

Tompson or one of the 11 other mounted riot officers is always patrolling Stoneman Meadow, and the crowds of young people who used to use it have all but disappeared. On July 4 of last year, estimates of the crowd ranged as high as 600. On the same weekend this summer the number rarely exceeded 10. The rangers have worked out a patrol ratio in the meadow: For every 20 people who gather there, they put one mounted ranger in the field. "We've tried to show them that this isn't a good





# Summertime Confrontations in the National Parks

## Continued From Preceding Page

also moved with surprising speed to solve the crowding in Yosemite and to prevent its occurrence in several new parks.

The automobile, for instance, has been partially eliminated from Yosemite Valley, and in time it will disappear altogether. By snaking all roads one way, and closing others to car traffic, the Park Service has made driving a frustrating experience in the valley. The frustration is an admirable accomplishment, for at the same time a free tram—that is, small open-air bus—service has been established to provide regular, quick transportation between all points in the valley.

In the future not only will automobiles be absent but also the monster trailers and campers so beloved by the older set.

If all goes according to plan, all trailer camping will be done outside the valley, leaving only tents and bedrolls inside.

It may be argued that reducing the number of autos and trailers will not reduce riots, but the effect this year of even the moderate efforts has been surprising. In the same way that urban riots usually occur during the hot stifling summer months, Yosemite's tensions result in part from visitors coming to a park for a vacation and finding, instead, a scene that in some ways is equivalent to Manhattan in August: traffic so thick it hardly moves, parking lots that are always filled. And campgrounds packed with trailers as big as houses and a conviction arises that anyone in another car is an instant enemy.

This past July 4, although the valley had 11,000 more visitors than the same weekend last year, the park had an airy,

almost graceful atmosphere. There were crowds, but none of the park's facilities seemed to be overutilized. The parking lots were half filled, the roads usually clear. Most people traveled by tram, and the little buses took on an air that could only be compared with the ambiance of San Francisco's cable cars.

Now, suppose you are off for Yosemite and want to avoid even a modicum of the cultural tensions—hard glare and the like. What do you do? The methods outlined below, depending on one's needs and the length of one's hair, are worth a try.

### Two Peaceful Spots

The two most peaceful spots in Yosemite Valley, by far, are the Ahwahnee Hotel and the Yosemite Lodge. Both are placed a goodly distance from the large campgrounds and their lumpen

inhabitants. The Ahwahnee is an old stone hotel built in the grand manner with huge fireplaces in the lobby and tea at 5:30. The Yosemite Lodge is actually a motel, much like any Howard Johnson's, but its rooms are cheaper for a family of four, \$32 a day, than are those at the Ahwahnee, which charges \$46. Both usually have a rest-home quiet, which is their advantage and disadvantage. They keep their visitors protected but, quite possibly, bored. Of the two the Ahwahnee tends to be the more geriatric.

The campgrounds, on the other hand, tend to be segregated by generations. Campgrounds 14 and 15 are the largest and most troubled, and together they form two sides of Stoneman Meadow, the scene of last year's riot. There are still many hoots and howls in the night, some cherry bombs at 6 o'clock in the

morning and motorcycle gangs on beer runs, and panhandling persists. Campgrounds 7 and 11 are quieter and tend to attract families. If an organized group wants to camp together, they may be able to get Campground 9, which is reserved for groups. Camping in any of the campgrounds in the valley costs \$4 a night.

### \$2 a Night

Campgrounds outside the valley are quieter and far less hectic. Crane Flat Campground, on the road to Tioga Pass, is only 15 minutes from the valley and costs \$2 a night. Bridal Veil Campground is farther away, on the opposite side of the valley, and the rate there is also \$2 a night.

During the day parts of Yosemite Valley become a hippie hangout. The village is a marketplace for groceries, sou-

venirs, camera supplies and, usually, the local supplies of dope. The heaviest panhandling is there, especially around the supermarket and Degnan's, the delicatessen.

So in the end, another alternative suggests itself, one I heartily recommend to people on both sides of the generation gap—stock up on provisions and then go backpacking. The park outside the valley is huge and laced with trails. They lead to some of the most beautiful canyons and meadows in the Sierras, and the camping is free. Backpacking does require some additional equipment of course, but most of it can be rented at nominal cost both in the valley and in cities around the park. There will be no crowds, no congested areas, few cultural tensions or generational hostilities—just the unparalleled beauty of a national park as it can and should be.



DEPARTMENT OF THE INTERIOR  
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Form 1279-3 (May 1982) (formerly DSC 1279-3a)

